













Indian legislation and  
Legislative Councils

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## XII.—CONCLUDING REFLECTIONS AND SUGGESTIONS REGARDING THE MULTIPLICATION OF LEGISLATIVE OR QUASI-LEGISLATIVE BODIES, AND POSSIBLE EXPANSION OF THE REPRESENTATIVE PRINCIPLE.

### I.—INITIATION OF LEGISLATION.

Apparently any member of the Supreme or of a Provincial Legislative Council may move for leave to introduce a measure subject to the provisos specified in sections 19 and 38 respectively of the "Indian Councils' Act," and of course to the general restrictions contained in the Act. As a matter of fact, measures are seldom or never introduced by non-official members. As regards Local Councils, the Governor in Council, or the Lieutenant-Governor determines whether any particular measure shall be introduced. As to the Supreme Council, when a question involving legislation is submitted to the Government of India, it is referred to the member in charge of the Executive Department to which the subject pertains. If he thinks that legislation is expedient, the matter is brought before the Governor-General in Council. Nearly all the legislation of the Supreme Council is undertaken at the instance of some Local Government; but, of course, any member of Council may initiate a legislative measure dealing with the department under his charge.

In the case of territories which have been brought under the provisions of 33 Victoria, chapter 3, the Local Government submits draft Regulations for their peace and good government to the Governor-General in Council.

The Bills of Local Councils generally emanate from the reports of the District Officers of Government. Legislation is by no means readily undertaken. In many instances the abuse calling for removal, the mischief which demands a remedy, the difficulties which hamper some particular branch of the administration, are allowed to become very acute before the legislative machine is set in motion. Sometimes when introduced in consequence of the ear has been carried, some public body, or some particular ~~part~~ of the Bill, to the procedure is adopted,

I.—RULES FOR THE CONDUCT ~~separately~~, and when the ~~has~~ been dealt with, shall put the ~~as~~ "that this section, or (as the case may be) this section as amended, stand part of the Bill." The ~~mode~~ ~~exists~~ ~~in~~ ~~all~~ continental legislatures. In Italy the demand for it requires the support of ten members, in Germany of 30 members. The President at once puts the question "that the debate be closed." In some countries, France for instance, one member

members must speak *sitting and not standing* ! The advisability of introducing this rule into Local Legislative Councils is worthy of consideration. In Bengal, members are not allowed to read their speeches, but they may refresh their memory by referring to notes. All members have an opportunity of speaking, and the mover of a motion may speak once by way of reply. Any member may speak at the request and on behalf of another member, who is unable to express himself in English. The question is put by the President, and decided by a majority of votes. Any member may ask for any papers or returns connected with any Bill before the Council, and it is for the President to determine whether they can be given. Members, having occasion to ask questions of other members on any measure then under the consideration of the Council, must ask such questions through the President.

The rules for the Bombay and Madras Councils are similar. The President appoints the times and places of meeting. The term for a Local Council is five, consisting of the Governor, (in his absence) some ordinary Member of Council and four reserve members of Council (including, under the term reserve members of Council, additional members). The Supreme Council sits both in Simla and in Calcutta, but enacts its most important business in Calcutta. The Bengal Council generally sits during the period from January to April.

## 2. *Introduction, Publication, and Consideration of Bills.*

Any member wishing to move for leave to introduce a Bill, in accordance with the provisions of sec. 19 of the Indian Councils' Act, must give the Secretary at least three days' previous notice of the title and object of the Bill. If such motion be carried, the Bill, with a full statement of objects and reasons shall, if not already prepared, be prepared by the member, or (if he so desire) by the Secretary in consultation with the member. The Bill is then printed, and copies sent to the member. Bills are published in such manner as the Secretary thinks fit. The member in charge of a Bill must move the following motions :—

- 1. That the Bill be referred to a Select Committee, or
- 2. That the Bill be taken into consideration by the Council on a future day to be then mentioned,

languages (if any) as the Council in each case decides to be necessary for the purpose of giving notice to the communities affected by the Bill.

It may be said, broadly speaking, that Bills of the Government of India come from the Select Committee in the shape in which they are eventually passed. Every section is thoroughly discussed and threshed out in Select Committee. The Council appoints the members of Select Committee, but the Law member is always a member of every Committee. Ordinarily the Select Committee are not allowed to report on a Bill until the expiry of three months from the date of its first publication in the *Gazette of India*. In Bengal the ordinary period is one month. If a Bill is very materially altered in Select Committee, it is generally republished. The Select Committee's Report is circulated to each member of the Council, and is taken into consideration by the Council "as soon as conveniently may be."

Any member may propose an amendment of a Bill, provided he has sent notice of his amendment to the Secretary three days before the amendment. Such notices are printed and circulated to the members. In Bengal votes are taken by voices or by division, but *must* always be taken by division if any member so desires. Any member may move that a Bill, which has been amended by the Council or by a Select Committee, be republished or re-committed, and, if the Council so decide, the President may order the Bill to be republished or re-committed, as the case may be. If no amendment is made when a Bill is taken into consideration by the Council, the Bill may at once be passed. The President has a general power to suspend any rule.

There seems to be no rule in India as to the length of time for which a member may speak. One hour is the limit in the United States. Other countries do not appear to have any rule, except that the President may stop a speech if the member speaking is twice warned for wandering from the subject. There are no rules as to the clôture in the rules of business; but when a motion that a Bill be taken into consideration has been carried, the President may submit the Bill, or any part of the Bill, to the Council, section by section. When this procedure is adopted, the President calls each section separately, and when the amendments relating to it have been dealt with, shall put the question "that this section, or (as the case may be) this section as amended, stand part of the Bill." The clôture exists in all continental legislatures. In Italy the demand for it requires the support of ten members, in Germany of 30 members. The President at once puts the question "that the debate be closed." In some countries, France for instance, one member



is allowed to speak against the closing of the debate. The opinion of a distinguished French statesman, M. Guizot, given before a Committee of the House of Commons on public business in 1848, may not be out of place here: "I think," said M. Guizot, "that in our Chamber it was an indispensable power, and I think it has not been used unjustly and improperly generally; calling to mind what has passed of late years, I do not recollect any serious and honest complaint of the *clôture*. In the French Chambers, as they have been during the last 34 years" (he was speaking in July 1848), "no member can imagine that the debates would have been properly conducted without the power of pronouncing the *clôture*." In another part of his evidence, M. Guizot stated: "before the introduction of the *clôture* in 1814, the debates were protracted indefinitely, and not only were they protracted, but at the end, when the majority wished to put an end to the debate, and the minority would not, the debate became very violent; and out of the house, among the public, it was a source of ridicule."

The rules in Madras and Bombay are much the same. In Bombay there are three readings of a Bill, but a reading means that only the title of the Bill is read, unless the Council requires that the Bill shall be more fully read.

The India Councils' Act contains no express provision regarding publicity of debate. The debates in Hansard show that there was a good deal of discussion on this point. Mr. W. Forster asked to what extent publicity was to be allowed, and Sir Charles Wood replied that the matter would be left to the discretion of the Governor-General or the Governor of the Presidency. Lord Canning, in a despatch of the 15th January 1861, had recommended that the proceedings should be conducted as in a committee or commission, and not in the form of a set Parliamentary debate, and that they should be reported under the control of the Governor-General, and only published after all the proceedings were over. Mr. Bright thought it right that legislative assemblies should have the right to close their doors on special occasions, but that Lord Canning's suggestions should be followed in a more liberal spirit. Sir Charles Wood said it would be much safer to leave it to the Governor-General to decide to what extent publicity should be given to the debates; if the practice in England were modified, it would only be so far as to ensure an authentic report of the speeches. Lord Granville spoke to the same effect in the House of Lords.

### 3.—*Passing of Bills, Publication of Acts, Petitions, &c.*

When a Bill is passed by the Supreme Council, a copy thereof is signed by the President, and when the Governor-General

has declared his assent thereto, such copy is signed by the Governor-General, and the Bill is published as soon as possible in the Official Gazette as an Act of the Governor-General in Council. Such publication is made in the *Gazette of India*, and the Official Gazettes of the Local Governments in English, and in the principal vernacular languages spoken in territories subject to such Governments respectively : provided that, if the Act does not apply to the whole of British India, it is published only in the *Gazette of India*, and in the Gazettes of the Local Governments to whose territories it applies.

After the passing \* of a Bill by a Local Council, the Governor (or Lieutenant-Governor) communicates his assent or dissent to the Council by certificate in writing on the face of the Bill, and the Bill with such certificate is lodged in the records of the Council. The Governor shall transmit forthwith to the Governor-General an authentic copy of every law or regulation to which he shall have declared his assent ; and no such law or regulation shall have validity until the Governor-General shall have assented thereto, and such assent shall have been signified by him to, and published by, the Governor in the Official Gazette. The fact of assent or dissent of the Governor-General (as also the disallowance of any law by Her Majesty) is communicated to the Council by the Governor personally or by letter, and is recorded in the journal of the Council. It is not competent to any member of the Council to make any motion upon, or otherwise bring under the consideration of the Council, the exercise by Her Majesty, the Governor, or the Governor-General, of their prerogative of disallowing a Bill by withholding their assent from it. Immediately after the Governor-General's assent, the Act is published in the Local Gazette.

The Council Chamber is not open to the public, but strangers may be admitted to it on the order of the President. The President, on the motion of any member, or otherwise, may direct at any time during a sitting of the Council, that strangers withdraw.

Communications on matters connected with any Bill before the Supreme Council may be addressed, either in the form of a petition to the Governor-General in Council, or in a letter to the Secretary, and must in either case be sent to the Secretary. Ordinarily, such communications will not be answered. Except in the case of the High Court at Fort William, such communications from courts, officials, or public bodies shall ordinarily be sent through the Local Government. The Secretary

\* "After the passing of a Bill, the Secretary shall revise and complete the marginal notes thereof, and shall submit it to the Lieutenant-Governor for his assent." Bengal Council Rules XV, (9).

shall either cause such communications to be printed and send a copy to each member, or circulate them for the perusal of each member. Under rule 12 of the Madras rules of business, petitions shall be in respectful and temperate language, and shall conclude with a distinct prayer. Any member may make a motion upon any petition brought under the consideration of Council. Rules 18, 19, and 20 of the Madras rules seem to be peculiar to the Madras Council. They are as follows :—

18. If a Bill be pending peculiarly affecting private interests, and any person whose interests are so affected apply by petition to be heard by himself or his counsel upon the subject of the Bill, an order may be made, upon the motion of a member, allowing the petitioner to be heard at a stated time, provided the petition be received by the Assistant Secretary before the matter to which the petition relates has been finally disposed of by the Council.

19. In no other case or manner shall any stranger be heard by himself or his counsel. If the petitioner or his counsel do not appear at such stated time, such leave shall lapse.

20. Any member may move that the hearing of any petitioner or of his counsel shall cease if such petitioner or his counsel be unduly prolix or irrelevant.

In continental legislative assemblies petitions are ordinarily referred to a Standing Committee on Petitions, and discussion takes place only on such petitions as have been recommended for that purpose. In most countries petitions can only be presented by a member, and not sent by any body. In France no petition can be received, if it comes from a meeting held on the highway. In Italy petitions are divided by the Committee into five classes :—(1) petitions which are anonymous or of doubtful authenticity, or contrary to Articles 57 and 58 of the Constitution ; (2) petitions which are insulting to religion, to the king, or to parliament, or which are evidently contrary to the statute, or inconsistent in form ; (3) petitions for things beyond the competency of Parliament, such as requests for offices, subsidies, and the like ; (4) petitions entertaining appeals for an object of public or private interest which are not within the direct competency of the tribunals, and for which, according to the petitioners, the administration has refused or omitted to provide, or has provided in a manner contrary to law ; (5) petitions which contain useful information and suggestions. No action is taken on petitions of the first three classes. If the Committee considers that the petitions of the fourth class are worthy of being taken into consideration, it proposes to the House to refer them to one or more ministers with an explanation of the reasons of its motion. Petitions of the fifth class can be deposited in the archives of the House, or be referred to a particular bureau, or to a committee, or else to

one or more of the ministers. But no action is taken on any petition which appears to be devoid of any foundation or value.

It has been stated that some right of interpellation is to be allowed in the Supreme Legislative Council. Under proper restrictions, this right is calculated to benefit the administration, as it will enable the Government to explain its action in any particular matter, to correct misrepresentations in the press, and to protect and vindicate its officers from the false and slanderous attacks so often made against them.

It is not yet known to what extent this right of interpellation is to be given, and it may be useful to note the practice in some of the continental legislatures. In Austria-Hungary interpellations which a member desires to address to a minister or head of a central board, must be presented to the President in writing, and be signed by at least 10 members in the Upper and 15 in the Lower House. The official, to whom the interpellation is addressed, may answer at once, or fix a later sitting for it, *or he may decline answering*, at the same time giving his reasons for doing so. When an answer is given, the House decides whether discussion shall follow or not. In France, even though an interpellation is placed on the order of the day, a minister is not compelled to give an answer. The same rule holds in Italy. In Germany, a question which it is desired to put to the Federal Council must be signed by 30 members. If the Chancellor is willing to answer the question, discussion is permitted after the reply to the interpellation, on a motion supported by at least 50 members. No motion is permitted, but any member is at liberty to renew the interpellation on some future day in the form of a motion.

Even the smallest right of interpellation in India will constitute a radical inroad on the existing laws and constitution. It will necessitate the amendment of sections 19 and 30 (for the Supreme and Local Councils respectively, of 24 and 25 Victoria, s. 67, which enact that "it shall not be lawful for any member or additional member to make, or for the Council to entertain, any motion, unless such motion shall be for leave to introduce some measure as aforesaid into Council, or have reference to some measure actually introduced thereto." As has been pointed out in my articles on "Indian Constitutional Law," the object of these sections was to prevent the legislature from interfering with the functions of the Executive Government, and occupying its time with matters which were not directly connected with the special duties assigned to it. The Legislative Councils constituted under the Act of 1861 have been described by high authority as follows: "The Councils are not deliberative bodies with respect to any subject but that of the immediate legislation before them.

They cannot inquire into grievances, call for information, or examine the conduct of the executive. The acts of the administration cannot be impugned, nor can they be properly defended in such assemblies, except with reference to the particular measure under discussion." It is manifest, then, that any the slightest right of interpellation will be a wide and radical departure from the principles of the Councils' Act. It may be advisable to afford the Government an opportunity of publicly defending its acts, and those of its executive and judicial officers and officials, who now have to suffer in silence, will benefit thereby ; but to permit inquiry into grievances, calls for information or examination of the conduct of the executive, would renew, in an intensified form, all those evils, the existence of which led to the passing of the Councils' Act.

### III. THE LEGISLATIVE DEPARTMENT OF THE GOVERNMENT OF INDIA.

The late Sir Henry Maine attributed the ever-increasing necessity for legislation in India to the steady emergence of the country from a state of discretionary (or patriarchal) government into a state of government by law, and he thought that such necessity would go on increasing as the country became more and more civilized. It was chiefly through his instrumentality that the Legislative Department, which used to be only a branch of the Home Office, was in 1869 constituted a separate department ; and since that date all correspondence with Her Majesty's Government relating to Bills and Acts, whether of the Imperial or Local Councils, has been conducted in the Legislative Department.

Perhaps the most important work of the Legislative Department, as a department, is the giving of opinions on cases and matters referred by the Executive departments of the Government of India. The latter may consult the Legislative department on the following subjects :—

- (1.) The construction of Statutes, Acts, and Regulations ;
- (2.) Cases involving general legal principles ;
- (3.) Proposed amendments of the law, and
- (4.) Notifications to be issued under any enactment.

Draft rules, framed under Acts of the Governor-General in Council, are also sent to the Legislative Department for consideration.

In addition to other miscellaneous duties, it is the duty\* of the Secretary in the Legislative Department to draft all

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\* It is specially enacted in the Bengal Council Rules (XX) that all acts which the Secretary is required to do may be done by any Secretary, Junior Secretary, or Under-Secretary of the Government of Bengal. They cannot be done by any other person.

Bills originated by the Government of India, the statements of their Objects and Reasons, and the Reports of the Select Committee to which such Bills are referred; if so desired, to draft Bills introduced by a non-official member in consultation with such member; to assist the Council and Committees; to examine all Bills deposited by additional members, and report to the President on those which contain clauses trenching on subjects coming within sections 19 or 22 of the Indian Councils' Act.

There is, or was, a rule by which the Legislative Departments were precluded from giving an opinion in cases in which the Advocate General had already advised. But it has been found impracticable to adhere to this rule; and, indeed, it would be preposterous to hold that the Government of India is bound to accept any opinion, the incorrectness of which could be clearly demonstrated. There is no rule that the Executive Departments are bound to accept and act on the opinion of the Legislative Department; but, as a matter of fact, they ordinarily do. By not doing so, they would shift on to themselves the responsibility which now rests with the Legislative Department. In matters in which legal questions are involved, the ministries of civilized Governments act, as a rule, as advised by their responsible Law Officers: but there is, of course, no rule, legal or constitutional, which compels them to do so.

*Respective Positions of the Executive and Legislative Departments of the Government of India as regards legislative measures.*

The Legislative Department is not, in respect of Government measures, an originating or initiating department, and its proper function in respect of such measures is to put into precise language and proper technical form projects of law, of which the political expediency has been decided elsewhere. All legislative proposals on the part of Government are first considered in the Executive Department in which they originate, or to which their subject belongs. The necessity for legislation is there affirmed, and all points of importance connected therewith are considered and settled. The papers, with the orders of Government thereon, are then sent to the Legislative Department.

All legislative proposals emanating from Local administrations are addressed, not to the Legislative Department, but to the proper Executive Department of the Government of India; but after a measure has been referred to the Legislative Department, that department corresponds directly with local administrations.

When a Bill has been passed by a Local Legislative Council, and submitted for the assent of the Governor-General under section 40 of the Indian Councils' Act, it first goes to the Secretary to the Government of India in the Executive Department to which its subject belongs. That department, after passing its opinion on the policy of the Bill, forwards it with all connected papers to the Governor-General for orders. The Bill, if approved as an administrative measure, is then submitted to the Legislative Department to report whether there are any objections to it other than objections to its policy. The same course is pursued in dealing with any proposal for the making and promulgation of an Ordinance under section 23 of the Act, and with any proposed law which requires the previous sanction of the Governor-General under sections 19 and 43 of the Act. So draft Regulations, framed under 33 Victoria, chapter 3, are first sent to the Executive Department, and then to the Legislative Department with the view of obtaining the Governor-General's assent, in the same way as Bills passed by Local Councils.

#### IV.—EXTENT OF INDEPENDENCE OF THE INDIAN LEGISLATIVE COUNCIL.

In my essay on "Indian Codification,"\* I have given some account of the Law Commissions appointed under the Charter Acts of 1833 and 1853.† As long as these strong Commissions were sitting in England the power and discretion of the India Legislature were subject to considerable limitation. Drafts of Acts framed by the Indian Law Commissioners were sent out to the Government of India, who were expected to accept them and pass them into law with as few modifications as possible. Such a position was naturally unpalatable to the Indian Government, and indeed, it was hardly in consonance with the constitution. Section 22 of the Indian Councils' Act empowers the Governor-General in Council to "make laws and regulations," while section 21 empowers Her Majesty to disallow such laws through the Secretary of State in Council. Thus a complete legislative discretion and initiation is given to the Government of India. Had the Indian Law Commission continued, the legislative independence of the Indian Legislature might have been seriously threatened, and it is perhaps fortunate that the Commissioners resigned (1870), owing apparently to their disappointment at the slowness of the Government of India in passing their drafts into law.

But let us leave out of the question any accidental disturbing elements, such as the existence of a Law Commission in

\* *Calcutta Review*. No. CLXXVI, April 1889

† 3 and 4 Will. IV. c. 85, s. 53 and 16 and 17 Vict. c. 95 s. 21.

England. There can be no doubt that the Indian Legislature is not vested with absolute independence and discretion in the same sense as the House of Commons, or the legislature of any Sovereign State. The great principle which underlies the Government of India is, that the final control and direction of Indian affairs rests with the Home Government and not with the Government in India. The latter is subordinate to the former, and no Government can be subordinate, unless it is within the power of the Superior Government to order what is to be done or left undone. It is true that the Imperial Government always has the power of imposing its veto on any Act passed in India. But is a mere negative or destructive power sufficient? To be real and effective, it must be affirmative or creative. The Home Government might be of opinion that the passing of some particular measure into law was essential for the welfare or safety of the Indian Empire. If Acts known as executive may be ordered, it seems to follow that legislative measures may be ordered. The constitution of the Government of India is peculiar. Its executive members do not cease to be such, because they are also legislators. We must banish from our minds the distinction which exists between "the executive" and "the legislative" in an independent Sovereign State. Members of the ministry in England are also legislators; but they are bound to carry out the wishes and policy of the Government or resign. So the position of a member of the Government of India as a legislator is secondary and subordinate to his position as a minister; the legislative capacity is but the necessary concomitant and complement of the executive or ministerial capacity. This is the recognised principle of British government in relation to other parts of the Queen's dominions, where the authority of the legislating body is derived from the Crown, and is not founded on the principle of popular representation. At the same time it could only be on rare and exceptional occasions that the Secretary of State would call on the Government of India to pass any particular measure; and the exercise of such a power, in the absence of special and urgent reasons, would probably be a straining of the constitution.

That the ultimate power rests with the Home Government of requiring the Governor-General to introduce a particular measure, and of requiring also the members of his Government to vote for it,\* appears to be unassailable as an abstract proposition; but a frequent resort to this power would be a straining of the constitution, because it would reduce an integral part of the Indian constitution to insignificance, and would prevent the whole from working as



designed. Parliament never intended \* that the Indian Legislative Council (any more than the Executive Council) should merely register the decisions of the Secretary of State. No doubt the Secretary of State has the legal right to order the Government of India to do any thing he pleases. The Governor-General and Council are directed, by sec. 9 of 13 Geo. iii. c. 63, "to pay due obedience to all orders received from the Court of Directors" (now represented by the Secretary of State); and 33 Geo. iii. c. 52, s. 65 † constitutes it a misdemeanour to "wilfully disobey or wilfully neglect to execute the orders of the Court of Directors." These words must be held to cover orders to introduce and pass a certain Bill as much as orders to perform any other act of Government. It would seem that members of the Government of India must obey the orders of the Secretary of State or resign; *but if the Government of India as a body were strongly of opinion that some order of the Secretary of State ought not to be carried out, they might be justified in appealing to Parliament with reference to sec. 51 of the Charter Act of 1833 (3 and 4 Will. iv. c. 85).*

It is the practice for the Government of India to inform the Secretary of State of proposed legislation; and the object of this rule is to prevent any conflict between the Indian and Home Governments. But the Secretary of State has no direct power

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\* The intention of Parliament may be inferred from the debates on the Government of India Bill:—The Earl of Derby said "The Government of India must, as cannot too often be repeated, be on the whole carried on in India. . . . I cannot help expressing my opinion that, with regard to the details of the Government of India, the less interference there is on the part of Parliament, the better prospect will there be of securing the happiness and contentment of the people of India." 3 Hansard, Vol. 151, 1448. Lord Broughton said he would keep the Government of India out of Parliament as much as possible. In the House of Commons, Sir Charles Wood said that it was essential that the proceedings of the Government of India should be reviewed by the Government at home. Mr. Bright "took it for granted that in future there would be more business done in India, and less at home ('no, no!'). Well, all he could say was, that if there was not more business done in India, and less at home, and the business at home confined to deciding upon great measures, and giving a veto or an assent, as the case might be, he could see no prospect of getting out of the difficulties in which we were now placed with reference to India." Viscount Goderich "thought the only sound principle to act on, was to leave questions of detail to be settled in India itself." Mr. Cumming Bruce said: "Sir Charles Metcalfe had recorded it as his opinion, that the real danger in the Government of India would be felt when party spirit in the House of Commons first acted directly on the affairs of India." Mr. Bright "was of opinion that unless you could get rid of nine-tenths of the matters which were referred to this country, you could never have a Government of India worth calling a Government."

† To the same effect is 3 and 4 Will. iv. c. 85, s. 80.

to interfere and alter measures in their passage through the Council. It is true that it may be an accident whether a particular Act of Government is executive or legislative, and under the Indian Constitution there is, perhaps, less distinction between these two classes of Acts than in the constitution of any other country. Nevertheless, there is a distinction, and that of a well-known and well-defined nature. An analogy with judicial Acts is deceptive and misleading; a judicial body has merely to *declare* the law without regard for consequences, but a legislative body is subject to many influences, and a legislative Act is often a compromise, the outcome of a number of opposing forces. In fact, a legislator may sometimes have to sacrifice his own opinion for important State reasons. This is pre-eminently so in India. Still, the word "legislative" does connote a certain amount of independence.

What is the exact position of the Indian Legislative Council to the Secretary of State? The question is not free from difficulty, and it is necessary to drive the discussion further home before we can arrive at any clear and tangible proposition. As regards initiation, it is not possible to distinguish very materially between executive and legislative Acts in regard to the Secretary of State's right to be consulted, or at least informed before hand. Under the Company, Anglo-Indian officials were subject to a mercantile body; they were the servants of an absolute master. The Secretary of State has now taken the place of the mercantile body, and the above relations still remain, *so far as they have not been altered by Parliament*. Now the Indian Councils' Act has considerably altered the position. The functions of the various component parts of the constitution have been assigned by an Act of Parliament. This Act seems to throw the whole duty and responsibility of initiating legislative measures on the Indian Government. The only power which it reserved to the Secretary of State seems to be that of considering the measures as a whole, and of deciding as a whole whether they shall be disallowed or not. Section 22 of the Act empowers the Governor-General in Council to "make laws and regulations for all persons, courts, places and things whatever," a few subjects only being expressly excepted. By section 20 the Governor-General has the power to assent to a measure passed by the Legislative Council, or to dissent from it, or to reserve it for the pleasure of the Crown. It is only when he has assented that the Secretary of State comes in. By section 21 it is provided that, if he assents, he shall transmit an authentic copy to the Secretary of State, and then it is lawful for the Crown to signify its disallowance of the law through the Secretary of State in Council. It would certainly be unconstitutional, and it might also be illegal, for the Secretary

of State to insist on some particular alteration of a Bill during its passage through Council. He does not appear to be justified in interfering with a Bill during its progress. Granted that he can order the Governor-General in Council to introduce a particular measure. Still the latter body cannot be prevented from altering a Bill during its progress, and after any measure has been actually introduced, the Secretary of State in Council\* has no *locus standi* until the Crown comes to decide whether the law should be allowed or disallowed.

In fact, the Councils' Act recognizes that there is a difference between executive and legislative Acts. The Councils' Act introduced three new elements into Indian legislation :—

1.—Oral discussion.

2.—Reference of Bills to a Select Committee instead of to a single member.

3.—Publicity of proceedings.

The element of publicity is of great importance, as it constitutes an additional check or sanction. Moreover, the notion of a legislature necessarily implies *some* independence, some relaxation of the control of the Home Government as regards matters which must be passed through the legislative machine. The word "machine," is not quite an apt word to describe the process of legislation. The difference between a particular executive or a particular legislative measure, carried out under orders from the Secretary of State, lies in the fact that the executive Act is, so to speak, the inevitable effect of a cause, whereas the legislative Act cannot be *purely mechanical*.

By the term "Indian Constitution," we mean to express the scheme of government for India which has been laid down by Parliament, and which, of course, Parliament may alter from time to time. In distributing the functions of government in regard to legislation, Parliament has in clear terms directed that the initiative should rest with the authorities in India, while the power of veto rests with the Secretary of State as the responsible adviser of the Crown. That Parliament did not intend that the Secretary of State should ordinarily interpose at any earlier stage, may be inferred from the fact that the Councils' Act makes no provision for such interposition. It is important that the body which legislates for India should be as free as possible from English political and social influences, and nothing but the strongest reasons of imperial urgency could justify the English Government in bringing such influences to bear on Indian legislation.

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\* Not the Secretary of State, be it observed. See sec. 21 of Indian Councils' Act.

But there is another aspect of the question, and the question itself is one of such importance that it is necessary to consider it from every possible point of view. Her Majesty's Government in England are as much responsible to Parliament for the proper government of India, as they are for that of any of the Crown colonies of the Empire. The responsibility is even more complete, inasmuch as it is armed with a more powerful sanction. The authorities of a Crown colony would only incur administrative censure for disobedience to superior orders; but the authorities in India would be liable to prosecution and punishment for a misdemeanour at law.\* The constitutional responsibility of Her Majesty's Government is complete and constant, because the action of the Government of India on the most vital questions may at any time be challenged, and motions of censure made in the House of Commons; in which case the policy pursued must be defended in detail by the representatives of the Government in debate, and the motions of censure are submitted by a division to the judgment of the House. The only responsibility known to Parliament is that of the responsible ministers of the Crown,† and it is the superintending authority of Parliament which is the reason and the measure of the authority exercised by those ministers. If the one power is limited, the other must be limited at the same time.

This being so, it is obviously essential that there should be a complete concurrence between the Home and Indian Governments. It would be most detrimental to the public interests that there should be any conflicts of opinion between them, and such conflicts can only be prevented by securing the fullest communication before any final step (executive or legislative) is taken. Indeed, the necessity for a clear preliminary understanding is stronger in the case of legislative measures, as they are less easily disallowed than executive proceedings. It is far better that any particular measure should be withdrawn or modified before it has been launched in the Legislative Council, than that it should be disallowed after it has run the gauntlet of discussion in Council, of Select Committee, of publication and of criticism by local authorities and the Press. Disallowance generally implies open condemnation, and publicity and emphasis are thus given to the divergence of opinion between the Home and Indian Governments.

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\* 3 and 4 Will. iv. c. 85, s. 80

† In the debates on the Government of India Bill, Sir Charles Wood said that the Minister for Indian affairs should be responsible to the Crown and the country; the Council of India was only to give him assistance. Viscount Palmerston said: "We are all agreed that the Home Government of India shall be managed by a Minister who shall be responsible to Parliament."

'It is, therefore, better that the Indian Government should not publicly pledge itself until it has procured the approval of the Home Government. If this is done, there is little danger of the dignity and position of the Governor-General being injuriously affected. The words of the 39th section of the Charter Act of 1833 are as follows: "The superintendence, direction, and control of the whole Civil and Military Government of all the said territories and revenues in India shall be vested in the said Governor-General in Council." The Court of Directors, in sending out this Act to India, wrote as follows: "The powers here conveyed, when the words are interpreted in all their latitude, include the whole powers of government, and it is of infinite importance that you should well consider and understand the extent of the responsibility thus imposed upon you. The whole Civil and Military government of India is in your hands, and for what is good or evil in the administration of it, the honour or dishonour will redound upon you." But circumstances have changed since then, owing to the following new factors, among others; the growth of public opinion, a free press, greater facility and rapidity of communications, increased knowledge of Indian affairs in England, the more frequent interference of Parliament, and the necessity for ruling British India on the same imperial lines as the rest of the British colonies and possessions. The Indian Legislature is intended to be, and must in the nature of things be, an official Legislature. It is not even like the Legislature of a colony with a representative assembly. It is not permissible to it to legislate on lines and principles contrary to those laid down by the Home Government. The Governor-General and the members of the Executive Council are appointed by the Crown, and additional members are appointed by the Governor-General. All official members may be removed at the pleasure of the Crown. The Government can always pass into law a measure on which they are agreed; and if they are not agreed, the Governor-General may, in urgent cases, override his Council (33 Vic. c. 3, s. 5). He may also, 'in cases of emergency' (24 and 25 Vic. c. 67 s. 23) make ordinances having the force of law for six months. Having regard to these facts, it would be erroneous to describe the Indian Legislative Council as an independent legislature.

From the foregoing the following propositions may be laid down:—

1. The Secretary of State has a right to be informed beforehand of proposed legislative, as of executive, acts of importance; so that the Home Government may have a chance of intimating approval or disapproval.

2. Subject to this right, the Government of India can initiate any legislation it pleases.
3. The Indian legislature is mainly an "official" legislature : it is not an independent legislature in the strict sense of the term.
4. The Secretary of State can order the Government of India to pass a particular legislative measure, (and he can require Government members to vote for it.)\* If he were to do so in the absence of urgent reasons, it would probably be a straining of the constitution.
5. The Indian Councils' Act recognizes a distinction between "executive" and "legislative" Acts. Legislation connotes *some* independence ; and the Secretary of State has no direct power to interfere and alter measures during their passage through Council.
6. Non-official members may vote as they please.

#### V. EXTENT OF INDEPENDENCE OF LOCAL LEGISLATIVE COUNCILS.

A perusal of the Indian Councils' Act is sufficient to show that the legislative powers of the Local Governments are more closely subordinated to the Government of India than are those of the Government of India to the Imperial Government. In the former case a law is not valid until the Governor-General has assented to it ; in the latter case the Secretary of State's assent is not needed, though he can disallow it. It is less difficult to refuse assent than to disallow. Moreover, the list of subjects on which a Local Council cannot legislate, without the previous sanction of the Governor General, is somewhat comprehensive (24 and 25 Vic. c 67 s. 43), while it cannot affect any Act of Parliament, or, any Act of the Governor-General in Council passed after the Councils' Act came into operation (1861), nor can it affect *in malam partem* the jurisdiction of the High Courts.

The necessity for the Government of India settling before hand with the Home Government the policy of all important measures has been discussed above ; and Local Governments are even more bound to inform and consult the Government of India. When sending out to India the Charter Act of 1833, the Court of Directors said.—

"It is evidently the object of the present Act to carry into effect the intention of the Legislature to which we have alluded.†

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\* Perhaps the sentence in brackets requires some modification or qualification. It is further considered in the following parts.

† That is, an intention to give the Governor-General in Council "a control and superintendence over the other Presidencies as complete and paramount as it was possible for language to convey."

Invested as you are with all the powers of government over all parts of India, and responsible for good government in them all, you are to consider to what extent, and in what particulars the powers of government can be best exercised by the local authorities, and to what extent and in what particulars they are likely to be best exercised when retained in your own hands. With respect to that portion of the business of government which you fully confide to the local authorities, and with which a minute interference on your part would not be beneficial, it will be your duty to have always before you evidence sufficient to enable you to judge if the course of things in general is good, and to pay such vigilant attention to that evidence as will ensure your prompt interposition whenever anything occurs which demands it."

Under the Indian Councils' Act the power of initiating local legislation is given to local Legislatures (sec 42) whilst the power of withholding assent is reserved to the Governor-General (sec. 40). Now two not altogether compatible objects have to be aimed at—

1. The Government of India must have some opportunity of examining local Bills beforehand with a view to see if they are in any way objectionable, that is, of such a nature as to render it probable that the Governor-General will be unable to accord his assent to them when passed :
- 2 At the same it is essential that the Viceroy should keep himself unfettered to consider each Bill, after it has passed the local Legislative Council, in the light of the discussions which may have taken place in that Council, in the press, or elsewhere.

The power of a local legislature to initiate legislation is, *so far as law is concerned*, limited only by sec. 43 of the Councils' Act which prohibits the undertaking of legislation regarding eight specified subjects without the previous sanction of the Governor-General. But under orders of the Government of India all Bills containing penal clauses, must be first submitted for previous sanction. As a matter of *practice*, however, apart from *statutory direction*, all Bills, broadly speaking, are submitted to the Government of India. The practice is much the same in the case of all local Legislatures. As regards Bengal, the Government explain to the Government of India the nature, scope and objects of any measure they propose to bring forward, stating at the same time the date on which they propose to bring it before Council. A draft Bill is not necessarily submitted. No particular reply to such a communication is expected, but the local Government waits a certain time to give the Government of India an opportunity of making any objection. If no instructions are received which preclude the Government from proceeding

with the proposed measure, it is introduced in Council accordingly. It may be said that such a procedure fetters the discretion, and lessens the independence of the local Council. But the local Council is no more independent than the Supreme Council. Indeed, it is less so. Nor need preliminary advice and intelligence be followed by unnecessary interference or unconstitutional dictation on the part of the Government of India. Such advice and intelligence is required not more on imperial grounds than in the interests of provincial Governments. It enables the Government of India so to exercise their power of interference as to obviate, by timely and judicious criticism, the possible necessity for ultimate disallowance.

It is highly desirable, on all grounds, that all local Bills should be submitted to the Government of India previous to their introduction in Council; and reading one statute with another, it is hardly too much to say that the Indian constitution requires that this should be done. English constitutional ideas must not be rashly applied. "Executive" and "legislative" are far more distinct terms in English than in Indian constitutional law. *In India the legislature is but the executive acting publicly, with a few additional checks or sanctions in certain matters which are beyond the competency of the Executive Government acting alone.* The arguments adduced above to show the subordinate position of the Government of India to the Home Government, apply with even greater force to Local Governments in their relation to the Government of India.

When Bills are before local Councils, all latitude of discussion is allowed; but, of course, the President may at any moment interpose, like the Speaker of the House of Commons, to prevent objectionable language or irrelevant discussion. A good deal of fault has been found from time to time with local legislation, but some at any rate of the objections are not of much importance, being objections of form rather than substance. The following objections or criticisms may be mentioned:—

1. Some local Acts, dealing with similar subject-matters, are almost identical, and the Indian statute book has thus, at some waste of time and expense, been encumbered with several enactments when one general measure would have sufficed.
2. The wording and structure of the Acts of one local Legislature differ from those of others, and from the Acts of the Governor-General in Council;
3. The wording of local Acts is sometimes loose and ambiguous, and in some cases the want of arrangement is such as to lead to confusion.



4. Some Acts are needlessly inconsistent with others of the same kind.
5. There is a decided want of harmony in the principles underlying the enactments of the various Indian Legislatures.
6. The subjects proscribed by sec. 43 of the Councils' Act are sometimes touched without the previous sanction of the Governor-General in Council. So, either from ignorance or carelessness, Acts are passed, which affect *in pejus* the jurisdiction of a High Court, or alter some Act of the Governor-General in Council passed subsequently to 1861.

The first objection is of no value. It is laid down in the Secretary of State's despatch, which accompanied the Councils' Act, that the Supreme Legislature should not interfere with matters of local administration. The objection seems to assume that all legislation should be general and uniform for all parts of India, but the same despatch lays it down that "the circumstances of different parts of India are widely different, and may, even under the same general head of administration, require widely different measures of a practical character, and it will be no ground for condemning a measure for any particular subject passed for one Presidency that it differs in some respects from another measure on the same subject for another Presidency." A want may be felt in one Presidency and not in another. The second objection also is unimportant.

There is some truth in the third and fourth objections, the reason being that Acts are sometimes drawn by persons who have but an imperfect acquaintance with the *corpus*—a very vast *corpus* now—of Indian law. In my article on "Indian Codification" occurs the following passage in this connection: "The Indian draftsman must not only know what to say, but also what to abstain from saying; and this knowledge can only be obtained by long study and residence in India. To draft even the simplest Act, the draftsman must have at his finger's ends the whole body of existing law on the same subject. The Indian draftsman should know the statute law, the case-law, native law, and local usage, as well as the English statutes and reports as are known to Parliamentary draftsmen." A Legislative Secretary, intimately acquainted with every branch of the administration, is as much a *sine quâ non* for a local Council as for the Supreme Legislature. Acts will certainly be best drawn by persons who are on the spot, and who are thoroughly acquainted with the existing state of the law, the objects it is intended to effect, and the habits of those to whom the law is to be applied.

The fifth characteristic (~~where~~<sup>where</sup> it exists) is but the natural consequence of having different local Legislatures to make laws for different parts of the country varying much in their circumstances and condition. This objection is vague, and there does not seem to be much meaning in it. Octroi duties, for instance, are found suitable to some provinces and not to others. To prevent experiments in administration being made until they are universally approved, would often be to defer them for ever; the alternative of forcing on a Presidency a policy which it disapproves, is the very evil which the Indian Councils' Act was intended to prevent. At present each Presidency experiments upon itself for the benefit of all India. It would be impracticable to pass a uniform sanitation Act for the whole of India; but the fact that one Province does not desire systematic sanitation is no reason for depriving another province of it.

As to the sixth objection, it cannot be said that local Legislatures often make mistakes in the points referred to. Errors, however, are committed sometimes, the most recent instances being the Calcutta and Bombay Municipal Acts, to validate which a special Act (XII. of 1888) had to be passed in the Supreme Council. But it is doubtful whether even thorough familiarity with Indian law, and particularly Constitutional Law, could prevent the occasional occurrence of such mistakes. For instance, very difficult questions may arise as to whether a local Legislature can extend the territorial operation\* of an Act of the Governor-General in Council which it is not competent to amend, or as to whether any particular provisions should or should not be construed as taking away any of the jurisdictions conferred on a High Court by the High Courts Act, or by Letters Patent†.

As has been remarked above almost all local Bills ought, before they are introduced, to be sent to the Government of India for consideration or at least information. But it may be said that, in the case of measures of wide extent and complexity, the Select Committee often make very substantial amendments and alterations, which render it advisable that the Government of India should see the Bill again after the Select Committee have done with it. To make any such rule

\* I, of course do not refer to such Acts as the Easements Act, in which power is specially given to Local Governments, to extend to their territories whenever they think fit.

† An Act which merely removes the possibility of some contingencies arising, on the happening of which a High Court might exercise its powers on the original side, or on hearing an appeal, in other words, which merely affects the extraordinary or appellate jurisdiction of a High Court, would probably not be held to take away any of the jurisdiction of the High Court.—8 Bom. H. C. R. 195

would not only savour of excessive supervision and undue interference, but (I speak from personal knowledge of the Bengal Council) it might not always effect the object aimed at. In the Supreme Council, nearly every Bill is substantially passed as arranged by the Select Committee; specific amendments may be subsequently introduced, but there is no close examination and revision of the whole Bill. The procedure of the Bengal Council, on the other hand, very much resembles that which obtained in the Council of the Governor-General prior to the passing of the Councils' Act of 1861. Every Bill is subjected to careful examination and revision throughout by a Committee of the whole Council after it comes from the hands of the Select Committee, and a Bill frequently undergoes material alteration as to arrangement, wording, *and substance*. It follows that it might, in certain instances, be no good to send to the Government of India the Bill as revised by the Select Committee, as the Council might set aside the suggestions and amendments of the Select Committee. There are doubtless evils in the independence and free discussion of local Councils, and those evils may become intensified in the future. But there are corresponding benefits also, namely, publicity, popularity, adaptation of laws to the special wants of a Province, and that heightened interest in local matters which results from being uncontrolled in dealing with them.\* These benefits would be much diminished by an anticipatory *censorship* on the part of the Government of India. I purposely use the word *censorship* as connoting a minute, unnecessary, or vexatious interference. But a preliminary inspection of policy and principles is obviously indispensable on broad grounds of State necessity, and is in accord with the constitution.

All local Bills are submitted not only to the Government of India, but to the Secretary of State also, the Governments of Madras and Bombay submitting their Bills direct. A local Bill is submitted either generally for approval, or specially for sanction under the 43rd section of the Councils' Act, or for consideration of penal clauses. In any case it is the practice for the Executive Department to consider it from an administrative point of view, and it is then sent to the Legislative

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\* Rapidity of legislation would be, it was hoped, one of the characteristics of local Councils; and until comparatively recently, has been so. But the cloven foot of the "debating Society element" (which proved so disastrous in the Supreme Council before 1861) is beginning to make itself apparent. This element, however, can always be kept in check by the power which the President has of framing and altering, as circumstances may demand, the Rules of business. The present Rules, if properly observed and enforced, ought to be sufficient to prevent waste of time.

Department for examination as to whether there are any objections to it, other than objections on grounds of policy. But a communication conveying approval of the penal clauses of a Bill does not imply the expression of any opinion on the part of the Governor-General upon the other portions of the Bill. The Home Department is always at liberty to note any administrative defects in a measure for the Governor-General's information, while the Legislative Department considers if it is in any way *ultra vires*, or inconsistent with the general principles of Imperial Legislation. It is for the Governor-General to decide whether objections are to be communicated to the Local Government, and if so, in what form.

As regards the transmission of Bills to the Secretary of State, the Legislative Department simply acts as a post office. In the examination of local Bills, and in any communications to the local Governments which may appear necessary on such examination, one important point is always kept in view, and that is, that nothing should be done which would tend to fetter the Governor-General in the final exercise of his power of veto, after he has had before him the discussions in the local Legislature and the comments of the public.

#### VI.—POSITION OF OFFICIAL MEMBERS OF LEGISLATIVE COUNCILS.

Ought the members of the Governor-General's Council to follow the rules and practice of the English cabinet, and exhaust all differences of opinion on important Government measures by discussion in the *Executive* Council, so that they may act with thorough unanimity in the Legislative Council? Is a Government member at liberty to oppose a Bill, because he strongly objects to it, or is he bound to abstain from opposition?

The rule \* that a Government member should not appear as

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\* "Rule" is hardly the word to use; but the intention of Parliament may be inferred from the debates that took place. 3 Hansard, 154. The Earl of Derby said: "When I look at the mode in which the Council is to be constituted, and see that one-half of the members who are to be added, may be persons holding official situations, and that the whole of them are to be selected by the Governor-General himself, I think there is no danger of the Council exhibiting a great appearance even of independence, or at all events of hostility to the Governor-General, or any desire, even if they had the power, of overruling any decision of his. On one point, I believe, there is no difference of opinion—namely, that the Legislative Council, as lately constituted, not by the intention of Parliament, but by the course pursued in India and acquiesced in here, ought not to be permitted to continue—that the system of a little mock Parliament is wholly unsuited to the circumstances of India, and to the position which the Council occupies there." Earl de Grey and Ripon said: "To the objection that the Council, as proposed to be constituted by the Bill,

an opponent of a measure, which the Government of India as a whole think ought to be passed, is reasonable and sound. But the rule cannot be pushed so far as in England, as it is not practicable to offer to the members of the Government of India the same alternative which is offered to English cabinet ministers. Divergencies of judgment in the secret Executive Council of the Government of India are far less serious than open differences of opinion in the Legislative Council. It is the open differences which become publicly known, which tend to prevent cordial co-operation between members of the same Government. The bitterness of feeling which prevailed at Lord Liverpool's death among the members of his cabinet has been attributed, not to the internal discussions of the ministry, but to the fact that these discussions were constantly kept before the public in the debates on Roman Catholic emancipation. Such open differences of opinion must have the effect of weakening the power of the Government to discharge its executive duties, which are its really important duties. In a country like India, especially, where such large and positive inferences are commonly deduced by the public and the press from facts insignificant or imperfectly ascertained, it is almost certain that public opinion, both native and European, would argue from frequent differences in public to frequently divided counsels in private, and thus the executive action of Government would run some risk of not being believed to have emanated from that concentrated purpose which is the first condition of its effectiveness.

But it may be argued that the analogy of the English cabinet is hardly apposite. The cabinet represents a party, and has to carry out a party policy in the face of a watchful and generally

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would prove more unmanageable than the present Council, he could only reply that the members of the existing Council held their seats *ex officio* and were appointed by other authority than that of the Governor-General; whereas the additional members of the proposed Council would be selected by the Governor-General, and would hold their seats for only two years. . . . It was scarcely possible to imagine a case in which the selected members, one-half of whom were to be persons actually in the Service, would combine to defeat a Bill brought forward by the Governor-General; but, if such a case did occur, it would afford tolerably strong grounds for supposing that it was not altogether desirable that the measure should be passed." On the other hand, I find the Earl of Ellenborough said: "Now, their Lordships could hardly be aware of the entire and absolute independence of the gentlemen of the Civil Service. They might depend on it that they could not induce gentlemen of high character and station in the Civil Service to enter the Council if it was thoroughly understood that they were always to vote with the Government. . . . If they gave the Governor-General in Council the power to make an ordinance which would last for six months, that would be quite sufficient to meet any misconduct of the Legislature."

hostile opposition ; the Governor-General's Council is not constituted for party purposes, and differences of opinion need not necessarily engender bitterness of feeling, as they neither endanger Parliamentary seats nor places under Government. In the Indian administration, there is not, or ought not to be, any opposition for opposition's sake, which is so lamentable a characteristic of Parliamentary Government in England. Nevertheless, differences of opinion constitute an element of danger, and if they were marked or frequent, might necessitate a change in the *personnel* of Government.

Let us take the case of the Governor-General's Council. Ought it to be allowable for members of the Executive Council to oppose, openly, at a Legislative meeting, an important Government measure, the expediency and necessity of enacting which have been deliberately affirmed by a majority of the Council, including, of course, the Governor-General ? \* It would certainly be inexpedient and impolitic for a dissentient member (or even a dissentient minority) thus to make known and accentuate a difference of opinion. It might be productive of great mischief if a new tax, proposed after mature consideration, and perhaps in a serious financial crisis, with the assent of the Governor-General and a majority of his Executive Council, were to meet with public and open opposition from a dissentient minority of that Council. Much more disastrous would it be in the case of some measure, on which the public peace or the safety of the Empire depended. There are strong reasons why a high and unselfish consideration of duty should lead a dissentient member (or a dissentient minority) to defer to the opinion of the Governor-General and the majority of his Council. These reasons are in part incidental to the constitution. It must be borne in mind that the constitution allows the Governor-General to override his Council in certain matters. A majority, which includes the Governor-General, is a peculiar and emphatic majority. It is quite impossible, as far as important measures of policy are concerned, to distinguish between those which do, and those which do not require legislation ; a Government Bill is simply a means of carrying out an order of the Executive Government that a new law be made or the old law altered in some particular.

The authority of the corporate Executive Government over its members in their legislative capacity is one of the elements of the Indian constitution, and is merely the result of a number of Parliamentary statutes. Any other doctrine would be

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\* If the Governor General were opposed to a Bill, it would not be introduced as a Government measure.

antagonistic to and subversive of the constitution. If unlimited liberty to oppose is conceded, unlimited liberty to propose must also be conceded. Could a member of Council, apart from the wishes of the Government of India, propose in the Council Chamber the abolition of ecclesiastical offices, the repeal of the income tax, or the imposition of a tax on marriages, tobacco, or pān? Clearly not. If, then, the negative policy of the Executive Government is to prevail against an individual member, it would seem to follow that its affirmative policy should similarly prevail. At the same time it is open to a dissentient member to record his dissent in an executive minute; and if legislation were not urgent, it might be proper for the Governor-General and the majority to refer the question for the orders of the Home Government.

But no definite or rigid rule can be laid down for all cases. There are questions in which the province of politics or pure administration touches and overlaps the region of morals. It would be impossible to argue that a man is bound to vote against his conscience or against his convictions in a question of morality or religion. I use the word morality in its narrowest sense. But such questions would rarely occur. Apart from such questions, or in other words, in all questions of pure administration, it would appear to be the duty of a dissentient member, not only to abstain from opposition, but to support an important Government measure by his vote. In fact, it appears to be the ordinary rule, that members of the Government should exhaust all differences of opinion in their executive discussions, and then act together in the Legislative Councils in accordance with the opinion of the majority.

The above remarks and conclusions are equally applicable, and for the same reasons, to the Councils of Madras and Bombay. The neglect of the rule has recently interfered seriously with the legislative efforts of the Bombay Council. It would lead to serious scandal and complications, if a member of a provincial Council could defeat a policy, which had been approved not only by his own Government, but by the Government of India and the Secretary of State in Council. The Government members of a Lieutenant-Governor's Council are or should be even less independent than the members of a Governor's Council. In Bengal, the Government members generally include a member of the Board of Revenue, the Legal Remembrancer, a Secretary to Government, and the Head of the Education Department. The Advocate-General is by statute a member. There is probably more freedom and latitude of discussion in the Bengal Council than in any other Council. This is, perhaps, natural

in the metropolis of what is, in one respect,\* the most advanced province in India. Amendments brought forward by native members are sometimes supported by official members, even when those amendments substantially alter the policy of some particular provisions of an Act†. Such independence may, in the case of certain measures, improve the quality of legislative work ; but official members should not forget that it is their duty to support the Head of the Government in those cases in which he is of opinion that it is essential, in the interests of the Empire or of the Province, to pass a particular measure, or at least some portions of it intact. A local Bill must after all run the gauntlet of three assents, those of the Lieutenant-Governor, the Governor-General, and the Secretary of State, and in deferring to the opinion of the Head of the Government in important measures of policy, an official member merely evinces his appreciation of the fact, that it is useless and unjustifiable to kick against the pricks of the constitution.

Local legislation has, from time to time, shown that members of local Councils are not so familiar with the written constitutional law of India as they might be. I state this fact with all deference. A powerful Legislative Department forms an integral portion of the Government of India. Important matters in other departments are sent to the Legislative Department for opinion or revision, and in this way the members of Council and Secretaries of all departments can, and do without any special study, become acquainted with a considerable portion of Indian Constitutional Law. There is no such Department in the Bengal Government, the Assistant Secretary being merely the clerk of the Council‡. It may be said that the Government has its Law officers ; but unfortunately, innocence of the very rudiments of Constitutional Law seems to be no obstacle to appointment to the post of Advocate-General.

To sum up what are the possible courses, I will not say open to, but to one of which an official member should resort, when he disagrees with a Government measure brought forward in the Legislative Council :—

1. He may be present, and oppose the measure by argument and vote.
2. He may be present and give a silent vote against it.

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\* In respect, I mean, of higher education. Madras is far ahead in primary education, and several Provinces are ahead of Bengal in material progress.

† I might instance some of the amendments (notably those regarding the principles of taxing house-property in the native town) during the passage of the Calcutta Municipal Bill of 1888.

‡ He is never required to note, from a legal or constitutional point of view, on proposed administrative acts or measures.



3. He may be present and give a silent vote for the measure.

4. He may absent himself.

Of course it is out of the question to expect a member or responsible official of Government to *speak* in support of a measure to which he is opposed, though this is sometimes done in the House of Commons.

The fourth course is to be altogether deprecated, as it might create an altogether erroneous or exaggerated idea of the extent of difference of opinion. The third course would appear to be incumbent in all cases in which the Governor-General and a majority of his Council (or the Lieutenant-Governor) were of opinion that it was necessary, for the safety or interests of the Empire, to pass a particular measure. Indeed, even less urgent State reasons (*e. g.* a question of taxation) would seem to point out this course as the one to be followed in the very large majority of instances. The first and second courses appear to stand together; from the point of view of a member's duty, there does not seem to be any material difference between them. I mean, that even the less marked opposition implied in the second course, would only be justifiable in those very exceptional cases, in which a serious question of conscience might be at stake; and if an official member might silently vote against a measure on strong conscientious grounds, most Englishmen, I apprehend, would be in favour of allowing him also to speak against the measure, as that might be the only means of satisfying some consciences.

#### VII.—ADDITIONAL MEMBERS OF THE GOVERNOR-GENERAL'S LEGISLATIVE COUNCIL.

These members are either official or non-official. The former are Government members and, as such, their position and freedom are of the same character and extent as that of members of the Executive Council. Non-official members are quite independent and vote as they please.

It has sometimes been supposed that an official additional member, selected for his knowledge of some particular province, is the representative or mouth-piece of the administration of that province. This view is not correct, and it is in no way supported by the language of the Act under which additional members hold their offices. But if an official additional member is, as is generally the case, in charge of a Bill especially affecting the local interests of his own province, it is no doubt advisable that he should communicate freely and personally, but unofficially, with the Head of the Local Government, the Board of Revenue, or any other body or officer possessing special knowledge of the subject-matter

of the Bill. But all official communications are addressed to the Secretary to the Government of India in the department to which the particular business appertains.

The Home Government attaches a good deal of importance to the attendance of the non-official additional members at deliberations of the Legislative Council. But having regard to the actual experience of the past, it may well be doubted whether the value of such attendance has not been overestimated. However, in pursuance of the views of the Home Government, regular legislative sittings are held in Calcutta, and all measures of great importance are then enacted. Measures relating to individual provinces under the Government of India (*e. g.* Assam and the Central Provinces) are generally passed at Simla, and the period of residence there is also properly devoted to the executive preparation of legislative measures, which are afterwards discussed and enacted in Calcutta. The technical details of heavy Bills are also dealt with at Simla, and laws arising out of any emergency are, of course, framed as and whenever the necessity arises. Official additional members are, as a rule, only summoned to Simla for the purpose of preparing and working out the details of measures in which special or local experience is required; and their assistance in this respect enables the Legislative Department to get through work which unaided it might not be able to accomplish within the required period.

*Simla vs. Calcutta as the Seat of the Indian  
Legislative Council.*

It may, no doubt, be conceded that the spirit of the Indian Councils' Act of 1861 would be violated by any system of legislation which did not admit of the attendance at Legislative meetings of the *largest* number of additional members of Council *possible under the circumstances*; and any method of transacting legislative business, which prevents the attendance of these members, would no doubt defeat the intention of the Imperial Legislature. The question is, whether Calcutta is as convenient a place as Simla. European 'mercantile members can only attend in Calcutta: but Simla is probably more convenient for other non-official members. The objection to Calcutta on the score of health is, perhaps, not so strong as it used to be, but it has by no means passed away. There have been two instances of native members from other Provinces having fled after attending only one legislative sitting, and natives, other than Bengalees, still have a prejudice against, and a dread of remaining long in Calcutta. There is at present a demand for more representation of the educated classes, and there can be little doubt that non-official native members

from all parts of India except Bengal) would more readily attend at Simla than at Calcutta. A discussion whether Simla or Calcutta is the better for the sessions of the Legislative Councils brings us perilously near the Hill-exodus question, which has been threshed out almost *usque ad satietatem*. Perhaps that question received a little extra light and illustration, when the High Court judges, and almost the whole of the Calcutta bar fled helter-skelter up to Darjeeling from the intense heat of June 1888, while officials in the mofussil, where the thermometer stood higher than in Calcutta, sighed with envy and wished that, like a certain High Court judge, they could declare their Courts closed till the ensuing rains. Members of Council cannot leave India, while High Court judges rush to England almost every year.

There can be little doubt that regular legislative sittings at Simla would be more likely to conform to the policy and wishes of the Home Government, as regards the attendance of as many non-official members as possible. The repugnance to the climate of Calcutta is not confined to Indians. It is shared by English statesmen, who are thereby deterred from accepting appointments in this country. The dignity and emoluments attached to high office in India would be sufficiently attractive to public men, if they were not accompanied by conditions which detract materially from their value. The objections against Calcutta are not exaggerated: a long series of broken-down constitutions and premature deaths cannot be reasoned away. When the question was discussed twenty years ago, it was shown that of the three immediate predecessors of Sir John Lawrence, one died in India, and two only survived to reach home; that Mr. Wilson died in his first year of office, and his successor, Mr. Laing, was forced to return to England in broken health the year after he came out. The High Court is not without its painful statistics of death and disease. Nor is the maintenance of Calcutta as the seat of Government called for by any considerations of State necessity or policy. The weightiest reasons for its retention are that it is the ancient seat of British Empire, it is connected with old associations, and a removal would involve heavy expenditure. All these arguments were for years urged against the removal of the courts of law from Westminster Hall, and yet that removal has at last been accomplished. If capital be taken to mean the actual seat of Government, Simla has now been an alternative capital for fifty-six years. Had Lord Elgin lived, he would never have visited Calcutta again, though three years of his term of office were still left. The theory that Calcutta was the capital, was, for a long time, preserved only by a fiction,

and a fiction so transparent that, but for the proverbial fascination and vitality of legal fictions, it is surprising any body was blinded by it. The Governor-General's Council remained there under a president, invested nominally with the full powers of the Governor-General in Council. In point of fact, however, a division of business was made between the Governor-General in the Upper Provinces and the President in Council at Calcutta, on the principle of leaving to the latter all business which was of a simple, routine or common place character. Every thing which was of importance went directly to the Governor-General.

This part of our subject may be fitly concluded by an extract from a minute written by the late Sir Henry Maine in 1868 :—

“ Discomfort and disease have so long been the conditions of official life in India, and so much admirable work has been done under those conditions, that there is a disposition in some minds to regard them as indissolubly associated with the good government of the country. Yet surely, in settling the question of the capital, it is unreasonable to leave out of account the discovery made thirty or forty years ago, that Nature has been less unkind to us than had been supposed, and that within the geographical limits of India there are climates in which the English race retains or regains its native vigour. I quite understand the necessity of guarding against the temptation to over-rate the value of these climates, and to under-rate the difficulty of utilizing them. Yet there may be prejudices of the opposite kind, and the censurs of resort to the hill climates should be sure, that unconsciously they are not arguing as a conservative of the Spanish Indies may have argued against the use of the Jesuits' bark in fever, as a practice in itself effeminate, and calculated to excite *ill feeling in those who could not afford to purchase the new drug.* . . . . There is no economy which a Government can practice like the economy of its servants' health and nerve ; it may be compelled to expend them on mere resistance to unfavourable physical conditions, but if it goes an inch beyond absolutely necessary expenditure, it is guilty of the most foolish form of prodigality ”

Sir Henry Maine mentions that Lord Elgin had intended to assemble in the cold weather follow ing his death both the Executive and Legislative Councils in the neighbourhood of Lahore ; and had this idea been carried out, it is probable that each of the great Native cities would have been visited in turn. In this way the Supreme Government would have become peripatetic. “ If,” said Sir Henry Maine, “ it be objected that there is no example of such a Government, I answer first, that the fact is not so, since almost all Governments originating in the conquest of hot countries by persons born in a cooler climate have been, as a matter of fact, more or less peripatetic, and that, even if the objection were well founded, the British Empire in India is too novel and

extraordinary an experiment to be dependent on any precedents, except those which its own experience furnishes."

### VIII.—DISCUSSION OF BUDGETS.

It has been announced during the present year that there is to be a fuller and fiercer discussion of the Budget "under certain restrictions." What those restrictions are to be, is not yet known to the public, but it is said that the Home Government is in perfect accord in the matter with the Government of India, and that a Bill will be passed to legalize any alteration of the present system.

Some explanation of the present system seems here to be called for, because it is doubtless not generally known, that even this system is not strictly in accord with the provisions of the Indian Councils' Act (ss. 19, 29, and 38).

"No business shall be transacted at any meeting for the purpose of making laws and regulations \* \* other than the consideration and enactment of measures introduced into the Council for the purpose of such enactment; and it shall not be lawful for any member or additional member to make, or for the Council to entertain any motion, unless such motion be for leave to introduce some measure as aforesaid into Council, or have reference to some measure actually introduced thereto." Sec. 29 enacts that the additional members are to be members of the Council, "for the purpose of making laws and regulations only."

It was stated by Sir Charles Wood that one of the objects of these provisions was to prevent the Legislature from interfering with the functions of the Executive Government, and occupying its time with matters which are not directly or immediately connected with the special duties assigned to it. The Duke of Argyll said that the evils of the system established in 1853 was, that there was a tendency on the part of members of the Council to interfere with the executive acts of the Government. The grave complications which had occurred in the Governor-General's Council prior to 1861, owing to the unseemly arrogation of authority by certain of its members, had become a matter of notoriety, and hence the precision and stringency of these provisions to give effect to the deliberate intention of Parliament, that the Legislative Councils should not exercise any administrative functions whatever, or have any voice in the Executive Government of the country.

While the law\* remains as it is, no statement or discussion of the Budget in Council can be legal, unless it have reference to some measure introduced, or to be introduced, into the Council for enactment. If any Bill involving the slightest alteration of taxation be introduced—if even the Income Tax Act had

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\* 24 and 25 Vic. c. 67, ss. 19, 38.

to be annually renewed as was formerly the case—a public financial statement and discussion would be legal. As a matter of practice, however, the Financial Minister makes his statement publicly, and this evasion of the Act has the sanction of the Secretary of State. Possibly Local Legislative Councils might be permitted to evade the Act in the same way, but they have not done so hitherto. If publicity is what is aimed at, it can be attained with equal certainty and less inconvenience by sending the Budgets to the press. They will thus obtain the widest publicity, and evoke (or at least afford an opportunity for) criticism from every class of the community. If it is desired to give an opportunity for discussion to the non-official additional members of Council, it should be borne in mind that this would do away with the power of the Governor-General, or a local Governor, to prohibit the discussion of topics which he considers undesirable, and so materially alter his position as regards his Council. It can hardly be desirable that the Legislative Councils of Madras, Bombay, Bengal and the North-West Provinces, should acquire a definite right to discuss and criticise the whole executive business of their respective Provinces in so far as they involve questions of finance. Their doing so might put the Supreme Council in a very false position. The value of criticism is much diminished when it proceeds from an irresponsible body; and it cannot be too clearly kept in mind, that additional members of the Legislative Council are absolutely irresponsible for their acts or the consequences of their acts. They can neither be removed during their tenure of office, nor be held answerable for aught they do. It is anomalous and contrary to all sound principle to invest a body thus constituted, thus irresponsible, and without even a representative character, with the power to discuss, modify, and perhaps overrule the whole executive policy of the Government. "Parliamentary responsibility," it has been remarked by Sir James Stephen, "arises from the fact that the man who is to-day in opposition may be to-morrow in power, and may then be obliged to act up to the principles which he has advocated when in opposition. This can never be the case in India. If Government were in a minority, it would not have to go out, nor would those who had succeeded in turning it out come in their turn. In this state of things it is obvious that the criticism of additional members is emphatically irresponsible. It is the criticism of persons who can never be called upon to apply their own principles to practice."

As a matter of fact, the proceedings of Legislative Councils in India are marked by a considerable degree of formality coupled with the utmost publicity. This formality, and this

publicity may not have been altogether contemplated by the Councils' Act of 1861, but *quod fieri non aebuit, id factum valet*. It is too late to go back now. One of the chief objections taken by the Marquis of Dalhousie under the Act of 1853 had reference to the formality and publicity of its debates. Lord Canning was of opinion that the business of the new Legislative Councils should be conducted as in a committee or commission, and not in the form of a set Parliamentary debate ; and in the discussions which preceded the passing of the Act of 1861 in both houses of Parliament, reference was frequently made, mostly in terms of condemnation, to the numerous standing orders made by the Legislative Council of 1853, and the unwisdom of converting the Councils into petty mock Parliaments was constantly dwelt on. Yet, no sooner was the Act of 1861 brought into operation, than arrangements were made in each Council for prescribing forms of procedure very similar to those observed in other legislative assemblies ; the proceedings were practically thrown open to the public, the admission of reporters was allowed, and all this was done under the authority of standing orders, which received the sanction of the Secretary of State by whom the Act was introduced. The fact is that Parliament endeavoured to reconcile two things which were irreconcilable, namely, the informality of procedure which obtains in a cabinet or committee (the proceedings of which are either strictly private, or if published, are published in an abstract form, or in the form of a report stating the *result* of the committee's deliberations), and the publication from day to day of the speeches delivered, and the remarks made, by the members of a Council. Lord Canning did not contemplate this latter arrangement, and it may be inferred from the opening speech of Lord Halifax in introducing the measure of 1861, that his views on this point coincided with those of Lord Canning ; but when the question of the daily publication of the proceedings of the Council was raised in the House of Commons, the reply of the Secretary of State was to the effect, that this matter would be left to the discretion of the Governor-General. As we know, the result has been that the debates in the Indian Councils are published from day to day, and that the official reports of them are as full and detailed as Hansard's. The only trace that the reports bear of what appears to have been originally contemplated, is that they are headed "Abstracts of the Proceedings of the Council," the fact being that they are in no sense abstracts, but are full and complete reports.

This matter has been gone into at some length in order to show that the original design of the framers of the Councils' Act has already been widely departed from in one very important

point. In truth, the submission to the Legislative Councils of Budgets dealing with the finances of the country, whether imperial, or provincial, or local, is an arrangement which, so far as can be gathered from the debates, was not contemplated by the framers of the Act of 1861. Nevertheless, during the whole of the period which has since elapsed, the exposition of the financial measures of the year before the Council of the Governor-General has been an event of annual occurrence. These Budgets are not voted on by the Council, but they are liable to be subjected to criticism of a searching character in debates which are forthwith published and circulated throughout the country. And not only is there, on these occasions, a general exposition of the financial position of the Empire, but the several members of the Executive Government deliver expository statements of the operations of the several departments under their charge, which are similarly liable to comment and criticism from the other members of the Council. It is not only, then, in the form and publicity of the debates, but in the nature of the subjects brought under discussion, that there has been, in practice, a departure from the avowed intention of the framers of the Act of 1861.

In order to enable Local Governments to deliver themselves of "financial expositions" analogous to those in the Governor-General's Council, it was at one time proposed that an Appropriation Bill (the schedule of which would consist of the Budget) should be annually introduced, thereby enabling members, without any contravention of sec. 38 of the Councils' Act, to discuss each item. As might have been expected, this proposal was not considered advisable or even possible. The passing of the Appropriation Bill in the House of Commons is a proceeding by which authority is given to carry into effect the resolutions of the House passed in Committee of Supply, which, till the passing of the Appropriation Bill, are not law. The Bill enumerates every grant that has been made during the whole session, and authorises the several sums voted by the Committee of Supply to be issued and applied to each separate service. It also contains a provision that the various aids and supplies shall not be issued or applied to any other uses than those mentioned. It is obvious that such a proceeding would be utterly out of place in India, and would have the effect of removing from the Executive to the Legislative Council the power of disposing of public monies.

#### IX.—PUBLICITY OF INDIAN LEGISLATION AND OPPORTUNITIES FOR PUBLIC CRITICISM.

It may safely be affirmed that there is no country in the world, in which the public have such opportunities of having their



say regarding pending legislative measures as in India. In no other country are Bills made so accessible to the public, or at least to that portion of the public which has either the desire or the ability to criticize.

A Bill of the Supreme Council, together with a statement of its objects and reasons, is published in the *Gazette of India*. If the Bill is of any importance to the public, or any section of the public, it is also published in such vernacular languages as the Council may direct. Then the Select Committee's report must not be made sooner than three months from the date of the first publication of the Bill. Again, if a Bill is much altered in Select Committee, it is often republished in its altered form. In fact, publicity in India has been pushed to such an extraordinary length, that it has been accurately remarked, that it is a man's neglect alone which can prevent him from being in a position to consider any Bill on which he desires to form an opinion. The Government of India have brought the horse to the water, but they cannot make him drink.

In this matter as in many others, the Government, being a bureaucracy, goes out of its way to avoid the imputation of legislating in an autocratic, bureaucratic or despotic manner. In theory, the vernacular translations of Bills are supposed to reach the native community at large; but those who are conversant with the administration, know that they only reach the comparatively educated few,\* who would much rather have the English Bill than the vernacular. Even this small section often finds itself quite incompetent to criticise the scope and details of measures. In England no one dreams of inviting the opinion of every farmer or parish vestry on a measure dealing with land tenure, or codifying the criminal law. Only experts are consulted, as only experts could give an opinion worth having. In India, on the other hand, every provision is made for securing, or trying to secure the opinions of all sorts and conditions of men, of persons who in many instances have no opinion to offer, the subject-matter being altogether outside their ken. As to the people as a body, they are not reached by the vernacular Gazettes, nor is there any necessity to reach them in this manner. Even in European countries, no attempt is made, even by their Parliamentary representatives, to ascertain their opinions in nine cases out of ten; indeed, in many instances,

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\* What I mean is, that they are not wanted. A Mukhtar could get the vernacular translation, if he wanted it. But, as a matter of fact (excepting, perhaps, important subjects, such as landlord and tenant) criticism of a Bill in progress is a thing not "dreamt of in the philosophy" of even the more educated class.

the Parliamentary representative himself might not have any opinion, or at any rate not one worth hearing. But though the people in India are not reached by the vernacular Gazettes, it would not be true to say that the *vox populi* is untapped. It is tapped in a very few matters (*e.g.* tenancy legislation) by Pleaders and Mukhtars; but the principal tappers are the Magistrates and Collectors of districts, known as District Officers. This will be illustrated below.

In England the Government takes no direct steps to make the Bills before the legislature known to the public. They are not published in any Gazettes or newspapers. If a country gentleman wanted to read a particular Bill, he would have to write and get it from Messrs. Eyre and Spottiswoode, the Queen's printers in London. But it will perhaps be said that the public are made acquainted with pending or proposed legislation through the medium of the press. This is by no means always the case. A good many Bills of importance are passed into law which are not even so much as noticed by the press. Let me instance a most important Act, dealing with Criminal Procedure in Scotland, passed in the session of 1887. Mr. Ilbert, when he was Legal Member, had occasion to remark that Lord Cairns' Conveyancing Bill was criticized by no one outside the rank of professional lawyers, and by very few of them. His Settled Land Bills, which affect the position and powers of landed gentry throughout the country, met with little or no outside criticism. The Criminal Code Bill has been on the anvil and before the public for years; but the press has not taken the trouble to master its provisions. In India, when the legislature has under consideration subjects such as Trusts, Easements, or the Transfer of Property, on which only experts can give valuable opinions, the public are not merely invited, but they are almost forced to give their opinions. Even the most enlightened public bodies, such as the British Indian Association, have been unable to show a complete comprehension of such measures. The daily experience of the courts show that such acts are misapprehended even by native professional lawyers: and the absurdity of expecting valuable criticisms from ordinary laymen, native or European, hardly requires demonstration.

The remarkably "popular" character of Indian legislation is seen in the rule that *anyone* may address the Legislative Council regarding any pending Bill. The communication may be addressed, either in the form of a petition to the Governor-General, or in a letter to the Secretary. *Such communications are actually circulated to members of the Council!* Any more popular and democratic provision it is impossible to conceive. It must be borne in mind that Local Governments

are always consulted, and this means that a large number of administrative officers are consulted, as also the Bench and the Bar. Moreover, numbers of public Associations, recognized by the various Local Governments, are also invited to express their opinions. The result has been that the Legislative Department has at times been almost overwhelmed with masses of voluminous comments, which naturally contain a good deal that is worthless. Of late years Local Governments have been compelled to consult only selected officers : but in measures of great importance, all officers are consulted. As long as the rule remains in force that all communications must be circulated to members of Council, it is obviously essential that the bulk should not be needlessly increased, so as to prevent the wheat from being lost among the chaff. Congress orators have not realized what a *Magna Charta* the people of India possess in the right of the meanest subject to address and petition the Legislative Council, and to give his opinion on any pending legislation !

O fortunati nimium, sua si bona norint !

It has been remarked above that the *vox populi* is principally tapped by the Chief Executive Officers of Districts. All Local Governments are consulted by the Government of India. The former again call for reports from their executive (and in the case of legal measures, judicial) officers, and so the word is passed right along the line of the official hierarchy until it comes down even to the humble village Chokidar (policeman); and not only is information and criticism called for after the introduction of a Bill, but this is often done when it is merely proposed to legislate on a particular subject, and it is desired to ascertain whether it is necessary to legislate at all, and if so, on what lines. Let me give the most recent instance of this : The Government of India are considering the advisability of legislating about lepers, and a report has been called for as to whether leprosy has increased, and whether lepers are in the habit of annoying villagers by soliciting alms in a threatening manner or otherwise, and so on. Every District Officer has been called on for a report regarding his own district. He consults his Sub-Divisional\* officers and District Superintendent of Police. The latter calls for reports from the Sub-Inspectors in charge of every thana (Police Station), and these latter get information from the village chokidars about every single village in their jurisdictions. The Government of India and local legislatures thus have no difficulty in procuring a mass of accurate information on any possible subject.

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\* Districts are generally divided into several Sub-Divisions.

In this way a rough census of lepers has been taken, and the feeling of the people in regard to them ascertained. And this is done through an agency familiar to the people and without any difficulty or special arrangements. The legislation of the Government of India is based on complete and accurate information, subjected to criticism and discussion by administrators of ripe practical experience.

The treatment of lepers is, no doubt, a question on which the meanest cultivator might have an opinion. Let us take the case of measures, which it would require some intelligence and education to criticise, such as the amendment of the Code of Criminal Procedure, or a Bill dealing with the relations of landlord and tenant. The vast mass of opinions and criticism on the Bengal Tenancy Bill, (passed as Act VIII of 1885) has surprised English lawyers. Apart from official opinion, all classes gave their opinions, Pleaders and Mukhtars, Zemindars, Middlemen, Mahajans and cultivators. Besides the large Associations which are consulted direct by the Bengal Government,\* District Officers consulted every local body or petty Association in their districts. Sub-Divisional Officers convened special meetings at their houses, at which many of the provisions of the Bill were discussed by their own Amla, (ministerial officers), Mukhtars, petty educational officers,

\* The following is a complete list of the Associations in Bengal recognized by the Government :—

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| 1. European and Anglo Indian Defence Association, Calcutta. | 19 Mymensingh Barnch Indian Association                       |
| 2. British Indian Association                               | 20. Mymensingh Landholders' Association.                      |
| 3. Eurasian and Anglo Indian Association.                   | 21. Burisal People's Association.                             |
| 4. National Mahomedan Association.                          | 22. Islam Association, Chittagong.                            |
| 5. Mahomedan Literary Society.                              | 23. Chittagong Association.                                   |
| 6. Suburban Rate-payers' Association.                       | 24. Bar Association, Noakholly.                               |
| 7. Jessore Indian Association.                              | 25. Tipperah People's Association.                            |
| 8. Moorshedabad Association.                                | 26. Behar Landholders' Association, Patna.                    |
| 9. Baranagore Rate-payers' Association.                     | 27. Indigo Planter's Association, Mozufferpore and Chumparun. |
| 10. Burdwan Association.                                    | 28. Bhagulpore Landholders' Association.                      |
| 11. Utterpara People's Association.                         | 29. Orissa Association.                                       |
| 12. Bali Sadharani Shaba.                                   | 30. Balasore National Committee.                              |
| 13. Seebpore Rate-payers' Association.                      | 31. Serampore Mofussil Association.                           |
| 14. Rajshahye Association.                                  | 32. Rohora Patriotic Association.                             |
| 15. Bogra People's Association.                             | 33. Santipore Rate-payers Association.                        |
| 16. Dacca People's Association.                             | 34. Howrah People's Association.                              |
| 17. East Bengal Landholders' Association.                   | 35. South Barrackpore Rate-payers' Association.               |
| 18. Furredpore People's Association.                        | 36. East Bengal Association.                                  |
|   | 37. Krishnagar Rate-payers' Association.                      |

landholders and others. Even Chokidari punchayats\* were in some districts invited to express an opinion. But this Bill was an exception. For a whole decade it had been proposed and intended to pass some remedial legislation in favour of the Bengal cultivator, so that landlord opinion was on the *qui vive*, and the forces of landlordism were strongly arrayed against the Bill. It was, perhaps, for this reason that officials felt compelled to take unusual steps for ascertaining the opinions and wishes of the cultivators themselves.

It is the same with Local Councils. If the records of the Bengal Council be referred to, it will be seen that, upon every local measure of importance, there has been a full and free expression of native opinion. Moreover, native opinion is sounded on any questions of importance on which legislation is likely to become necessary. There can be no harm in my adducing the most recent instance: It has been recognized that Municipalities and District and Local Boards are everywhere crippled for want of funds, and therefore cannot effect any great improvements. The Government thinks that the only solution of the difficulty is local taxation for local needs. In this connection suggestions have been made, that the question of tolls on roads and bridges might be reconsidered, and also that of the imposition of octroi duties in Municipalities. On these subjects District Officers have been asked *not to give their own opinions*, but to ascertain enlightened *non-official opinion*. Probably in no country in the world is so anxious a desire manifested to legislate in accord with the wishes and sentiments of the people. This is, in a measure, owing to the fact that the Legislatures are official legislatures. Of the official legislators it may certainly be said that they are disinterested men, having no party to represent, with no desire but to benefit the country and the people, and do justice between class and class.

As might have been expected, the desire of the Government to give the utmost publicity to its legislative measures, (whether as Bills or Acts) has far outstripped the necessities of the case. It was hardly necessary to translate such Bills as the Transfer of Property or Easements Bill at all. As has been remarked, the few natives competent to give an opinion on its provisions would know English, and would actually prefer to consult the English original. And yet not only was this Bill published as first drafted, but it was again and again published as it underwent alterations. *Bill No. V, which was a very modified form of Bill No. III, was published in the following vernaculars: Urdu, Bengali, Ooria, Hindi, Tamil, Malayalam, Telugu, Kanarese, Mahratti, Guzerati!* Naturally all

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\* The agency appointed in each village or Union under Act VI, 1870, B. C. which assesses and collects the tax for the maintenance of the village Police.

this expense was incurred for nothing; the only criticisms received were received in English. Measures of this technical and abstract character cannot be translated into the vernaculars in a satisfactory and intelligible manner. Highly educated natives aver that they find it impossible to convey in the vernacular the technical shades of legal meaning by mere translation, or by anything short of exposition, and that although to a man knowing English, and sufficiently acquainted with the English original, the vernacular translation *might* be intelligible, yet even such a man would prefer to refer to the English version. Urdu is the most polished and widely spread of the vernaculars of India, and constitutes, indeed, a sort of *lingua franca*. Yet even the translations in Urdu are often unintelligible and so full of inaccurate renderings, that it is no wonder that vernacular translations of technical Acts can hardly be understood even by native lawyers. As to Bengali, Ooria, Hindi, and Mahratti, the translators have had to have recourse to Sanskrit words to supply an equivalent for some of the English terms,—words, which to the mass of the people, are as incomprehensible as the English itself would be. So an Englishman of the reign of Henry VII, having to translate the present Italian Code of Commerce, would resort to Latin.

During the Viceroyalty of Lord Ripon, a laudable, but as events have proved, a futile attempt was made to make Bills and Acts even more accessible to the public than they had hitherto been. As regards the great codifying Bills in connection with which the question of publicity had arisen, both the Viceroy and his Legal Member recognized that, no matter how clearly they might be drafted, they were of such a nature that, even with the aid of the fullest explanations, none but experts could hope to master their contents sufficiently to offer any useful criticism on them; that similar measures met with little or no criticism in England outside professional circles, while in India, the prospect of obtaining useful criticisms was much diminished by the difficulties of translation above referred to. But, as regards legislation generally, it was desired to give the public the utmost opportunity of criticizing Bills in progress, and also to distribute measures passed into law as widely as possible.

The first aim of the Government was to give the Press all the information in its power as to the object and necessity of any proposed legislation. It was, therefore, decided to publish a fuller and more popular Statement of Objects and Reasons, showing why a particular measure was required, and giving a short history of the circumstances which had led up to it, and an explanation of the effect it was likely to have on the subject matter and on the people. Pains were to be taken to make the statements as clear and intelligible as

possible to the ordinary unscientific mind ; and when the Bill had been brought in, the Bill itself and the Statement of Objects and Reasons, and (when this appeared desirable) the speech made by the member in charge in moving for leave to introduce it, were to be separately printed on cheap paper, so as to be available (with the vernacular translation), to the Press and selected public bodies. These were further to be sold at a low price to the public. They were to be procurable at all District Cutcherries throughout the country. Moreover, in order to encourage comments from the press, English and Vernacular abstracts of, or if necessary, full extracts from newspaper articles were to be circulated to members of the Legislative Council. Moreover, if the publication of any Bill in the vernacular was ordered, the Select Committee were always to state in their report the date on which the Bill had been published in such language, so as to ensure that the native community had had time to see and consider the Bill. It had been found that some delay occurred in bringing out translations of Acts passed, and it was therefore decided, whenever practicable, to allow an interval to elapse between the date at which an Act is passed, and the date at which it is brought into operation, so as to allow of sufficient time for the preparation and issue of translations and for the preparation, issue, and due publication of the rules, without the help of which so many Indian Acts cannot be brought into effectual operation. At the same time it was not intended to prevent very short and simple, or very urgent Acts from being brought into force at once.

As regards the sale and gratuitous distribution, in a cheap form, of English and vernacular copies of Bills, Statements of Objects and Reasons, Reports of Select Committees, Debates, and Acts, it was settled that each local Government should make its own arrangements. The price of English copies was almost nominal, being only three pies per sheet of four pages, the rate decreasing if there were 64 pages or more. The whole set of papers published in a year was also made available to annual subscribers at the rate of *only two rupees*, exclusive of postage. The papers were to be printed by the Superintendent of Government printing at Calcutta or Simla. At the same time special arrangements were made in the Legislative Department to issue Urdu or Hindustani translations of Bills and connected papers and Acts, and also transliterated versions of the same in the Nagri character. All these papers, in English or a vernacular, were to be obtained *at all Cutcherries throughout the country* ! It comes to this, then, that every trader, artisan, and peasant in the country had the Bills and Acts of the legislature almost brought to his very door, for in India, broadly speaking, almost every peasant, and certainly every peasant who would be likely to require a copy of an Act, has

occasionally to go to the District, or Sub-divisional, or Munsiff's Cutcherry. The nominal price was intended to act as a sort of guarantee that the papers were required and not asked for from pure wantonness. In the same way missionaries, who preach in the bazars and villages, demand a pice for tracts, or the vernacular translation of a gospel, just to impose some sort of check on the wanton spoliation of their stock.

The Scripture tells us not to cast pearls before swine, and the Government of India, as might have been expected, failed in an attempt to secure universal criticism, such as no civilized country in the world has ever dreamt of making. As the sequel showed, the parturition of mountains brought forth a very ridiculous mouse. Year after year Bills and Acts and translations were made available for sale at the Government Cutcheries, and year after year the sales, at many places, were *nil*, while those in the most advanced districts were infinitesimal. In fact the whole business turned out to be such a monstrous farce, that in September 1888, the Legislative Department of the Government of India wrote and informed all local Governments that the supply of reprints and translations for *sale* would be at once discontinued, and asked whether, and to what extent, such supply for gratuitous distribution should be curtailed. The Collectors of districts in Bengal have reported that the documents are not merely unsaleable, but are not required, generally speaking, even for gratuitous distribution. The people in India have had opportunities of making themselves acquainted with, and criticising pending legislation, such as no other Government in the world has thought fit to grant. Fancy copies of Bills being available for sale in every booksellers' shop in small country towns in England! Even Justices of the Peace hardly ever see an Act, except the few they have to administer, much less a Bill. Imagine Bills being distributed in England by Government agency to petty attorneys, shopkeepers, farmers, and labourers, and yet this is what the Government of India has seriously attempted! Such ultra-Radical benevolence in an Oriental country indeed takes one's breath away.

The facts in connection with this subject cannot be too clearly demonstrated, because Government is sometimes blamed by men who are educated enough to know better. Errors regarding the action of the Government in India are Protean in their variety, and possess the vitality of a hydra. I have therefore considered it necessary, in the interests of truth, and in vindication of the Government, to lay bare the incontrovertible facts. The importance of the subject is a sufficient excuse for my reproducing *in extenso* a return submitted from one of the largest, and certainly not one of the least important districts in Bengal. These statements were called for from every district:—



Statement showing the number of Printed Acts received and sold during the year 1888-89.

District.	Description of Acts.	NUMBER.		Price per copy.	Number sold.	Value realized.	Number of copies remaining to be sold.	REMARKS.
		Balance of last year.	Received during the year.					
2	Marriage Validation Bill, in Bengali	16	.....	Rs. A. P.	...	...	16	
	Indian Salt Act Amendments Bill, in Bengali	16	.....	0 0 3	...	...	16	
3	Transfer of Property Bill	16	.....	0 0 3	...	...	16	
	Telegraph Bill of 1884, in Bengali	16	.....	0 0 3	...	...	16	
	Bill to provide for the Registration of Permanent Tenures, in Bengali	16	.....	0 0 3	...	...	16	
	Bill to repeal part of Section 6 of the Indian Traffic Act, 1882 and to amend the Excise Act 1881 and the Bengal Excise Act 1878, in Bengali	16	.....	0 0 3	...	...	16	
	Indian Sea Passengers' Bill, 1884	16	.....	0 0 3	...	...	16	
	Bill to enable the Commissioners of the Port of Calcutta to provide Docks	16	.....	0 0 3	...	...	16	
	Births, Deaths and Marriages Registration Bill, in Bengali	16	.....	0 0 6	...	...	16	
	Bill to amend Bengal Act III of 1879, in Bengali	16	.....	0 0 3	...	...	16	
	Canooagoes and Patwari Bill, in Bengali	16	.....	0 0 3	...	...	16	
	Indian Contract Amendment Bill, in Bengali	16	.....	0 0 3	...	...	16	
	Land Acquisition (Mines) Bill 1885, in Bengali	16	.....	0 0 3	...	...	16	
	Report of the Select Committee, and the Bill to enable the Commissioner's of the Port of Calcutta to construct Docks, in Bengali	16	.....	0 0 3	...	...	16	
	Bill to regulate Ferries in Bengal, in Bengali	16	.....	0 0 3	...	...	16	
	Indian Registration Bill, 1885, in English	2	.....	0 0 3	...	...	2	
	Indian Tramways Bill, 1885, in English	1	.....	0 0 9	...	...	1	

A Bill rendering it permissive to the members of the Mahomedan community to declare themselves subject to the Mahomedan Law, in English	3	...	...	0	0	3	...	...	3
The Provincial Small Cause Court Bill, 1885, in English	2	...	...	0	0	3	...	...	2
The Income Tax Bill, 1886, in English	0	...	...	0	1	3	...	...	0
The Debtors' Bill, 1886, in English	4	...	...	0	6	0	...	...	4
Indian Bankruptcy Bill, 1886, in English	4	...	...	0	1	9	...	...	4
The Guardians and Wards Bill, 1886, in English	4	...	...	0	0	3	...	...	4
Suits Valuation Bill, 1886, in English	4	...	...	0	1	0	...	...	4
Criminal Procedure Code Amendment Bills, 1886, in English	13	...	...	0	0	0	...	...	13
Native Passengers Ships Bill, 1886, in Bengali	13	...	...	0	0	0	...	...	13
Bill to abolish Military Courts of Requests as established by the Indian Military Law	10	...	...	0	0	6	...	...	10
Invention and Design Bill, 1887, in Bengali	13	...	...	0	0	6	...	...	13
Indian Marine Service Bill, in Bengali	13	...	...	0	0	6	...	...	10
Bill to amend the Indian Stamp Act, 1879, in Bengali	10	...	...	0	0	3	...	...	6
Bill for the Protection of Game, in Bengali	6	...	...	0	0	3	...	...	2
Inland Bonded Warehouse Bill, in Bengali	6	...	...	0	0	9	...	...	2
The Metal Tokens Bills in English	2	...	...	0	0	3	...	...	2
Measures of Length & Li, 1881, in English	2	...	...	0	0	6	...	...	2
The Probate and Administration Bill, 1888, in English	7	...	...	0	0	6	...	...	7
The Succession Certificate Bill, in English	0	...	...	0	1	6	...	...	0

Memo. No.  
Submitted to the Commissioner of the Division.

MAGISTRACY,  
The 1st May 1889,

Magistrate.

\* Distributed to annual subscribers as well as to others gratis.

It will be seen that *only five* copies each of the Probate and Administration Bill and the Succession Certificate Bill were disposed of, and the note in the column of remarks shows that *these were not sold, but distributed gratis!* I find from the correspondence relating to this district, that the three principal men of the district are shown as subscribers, but apparently the copies were foisted on them *volentes volentes*, as the sheristadar notes, in a somewhat naive Hibernianism: "These three are regular subscribers, *but they have never paid yet!*" Such, then, was the ludicrous anti-climax of the grand project for eliciting the opinions of all classes, even down to the school-master, the blacksmith, the Mukhtar, the cultivator, and the landless labourer, on Bills dealing with such matters as Taxation, Valuation of Suits, Native Passenger Ships, Inventions, Marine Service, Probate and Administration, Succession Certificates, Bankruptcy, the Port of Calcutta, Easements and Transfer of Property.

The British Government in India has enemies even among those who eat its bread and salt, and this renders the guidance of the ship of State all the more difficult; but while steering clear of the Scylla of conservative prejudices and opposition to all reform, it should take care not to be sucked in by the Charybdis of radical nostrums. They should view with suspicion the so-called panaceas propounded by philanthropical and irresponsible theorists, and act on the advice of disinterested administrators, who possess long practical experience of the country, and only desire the real welfare and happiness of the people.

#### X—REAL AND EFFECTUAL REPRESENTATION OF ALL CLASSES.

It will be seen, then, from what has been stated above, that to all intents and purposes, the masses are represented in the most effectual manner possible in the Legislative Councils of the country. They are not only represented by the administrators who live among them, and whose duty it is to report to the Legislature on any measures affecting their interests; but the official members of the Legislative Councils are also their truest and best representatives.

As regards greater representation in the Councils, it would be impossible to increase the number of non-official members so as to represent all classes without swamping the official element. This means that the character of the Legislature would be radically altered, and the constitution, as it now exists, subverted. If a number of non-official members be added, they must be added as assessors, entitled to give opinions only, but not votes. But what would be the result

of increasing the number of non-official members, whether entitled to give opinions only or votes? It would most assuredly result in a greater representation of a few classes (in Bengal, principally the zemindars and the lawyers), and a smaller representation of the masses. It has been very truly remarked that the best representation of the interests of the country and the people as a whole, is the official, and not the non-official member. The official represents all classes. One official may sympathise with the ryots to a greater extent than another : but no official can be called a partisan. They all do their best to legislate justly and hold the scales evenly between class and class. But non-official members avowedly represent some particular class or interest, ordinarily that to which they themselves belong. They are often pledged to support certain views, and to vote accordingly. The result of increasing the non-official element would be, to increase the representation (I speak of Bengal) of the landlord and lawyer classes, and possibly also of the English mercantile class. In any tenancy legislation, such a result would be most detrimental to the interests of the tenantry. In the passing of the Bengal Tenancy Act, the non-official members, broadly speaking, fought for the landlord interest ; had the ryots been represented by such members in the Council, the Act would have been more favourable to the tenant. Not that the Act is not favourable in many respects to the tenant, but that fact is due to the determined efforts of disinterested official members. Additional native members must be men of some position and rank, and such men would naturally favour the landlord interest, while experience has shown that, in matters of taxation, they will favour those measures which press more hardly in proportion on the poorer classes than on the wealthier. I may note as a signal instance, the readiness displayed to increase the salt duty rather than impose taxation on land or personal incomes.

Surely the experience of England and other countries has been just the same. It is not so long ago that the first real representative of the working man was returned to the House of Commons. And when even a working man has acquired some position and wealth, his opinions and sympathies will naturally veer round a little in favour of the classes among whom he finds himself thrown. In Bengal the pleader class would, broadly speaking, be in favour of the interests of the Zemindars. In the first place, a pleader of any position and practice is generally the agent of one or more Zemindars, whose payments constitute a substantial part of his income. Secondly, as they acquire money, pleaders invest it in land, and so become part and parcel of the land-owning classes. The same may be said of retired members of Government services,

including Ministerial officers, who generally invest a substantial portion of their earnings in land. The sympathies of young Munsifs and the new class of competition Deputy Collectors is (at any rate before they have had time to acquire land) to a considerable extent with the ryot, but young Munsifs and Deputy Collectors are not made members of the Legislative Councils. European non-official members are mainly appointed as the representatives of the mercantile interest, the planting community, and generally of the non-official European class.

It is manifest, then, that the best and truest representatives of the interests of the country and the people as a whole are the official members. The number of non-official members might be increased, perhaps, if they are made into a purely consultative body, with power to report their opinion to Government. Even this would result in a larger representation of the wealthy and influential classes. But anything more might raise evils and difficulties which can hardly be said to exist at present. Even in elective Municipalities there is no real representation of the majority of the population. The control of the people is a pure fiction, except in one particular, and that is, that Municipal Commissioners are sometimes elected on the distinct pledge that they will do their utmost to reduce the rates,\* and oppose any measure of improvement that might tend in the opposite direction. Possibly hot advocates of local self-government may regard this as a healthy and hopeful sign, that the electors are able to bring some influence to bear on their representatives. But the ordinary mind would probably regard it as a not very honorable index of unfitness for autonomy.

The evils indicated are possibly not peculiar to India,† though in India they are intensely aggravated by the fact, that the influential portion of the community is a microscopic minority, composed almost exclusively of a single class,

\* I see this fact is alluded to by the Bengal Government in the Resolution on the Annual Administration Report of the Patna Division for 1888-89, published in the *Calcutta Gazette* of August 1889.

† It is very nauseating to listen to some English apologists who, in their fondness for fouling their own nests, remark: "Oh! there is just as much corruption in England among municipal and Local Boards." Granted for the sake of argument, that there has been in some instances. To what is it due? To Government having relaxed its control. These apologists use a two edged weapon, and are hoist with their own petard. The Anglo-Saxon race is generally admitted to be firm, tenacious of purpose, honest, and truth loving. It has been accustomed for centuries to the principles and traditions of popular representation. If among such a race and under such conditions, a gradual extension of local autonomy and power has produced corruption and other great evils, may not a reasonable man hesitate and doubt whether such boons should be bestowed, in an intensified form, on an Oriental country?

while the masses are comparatively uneducated and ignorant. Some of the principal cities of England and America have suffered grievously from the Attic boon. There is a reaction in favour of official management, which has resulted in a very considerable amount of central control. In France and other great continental States, the towns and cities are improving, but those who are conversant with the details of their municipal administration, know that they are improving because the central authority with one hand grips the local body by the throat, and, holding a blunderbuss to its ear with the other, exercises that extrinsic moral influence, which apparently the law intended should be exercised by the District Magistrate, the Commissioner, and the Local Government in Bengal, but which, owing to the desire to show as partial successes even the most glaring failures and notorious collapses, is not, as a matter of fact, exercised. The fact is that in France and elsewhere, not only the capitals, but all the cities and large towns had more or less drifted from local self-government into something very different; there remains but a shadow and a fiction of the defunct principle of local administration. The only chance of the success of local institutions in India is, that all should not be praised alike, no matter how different their deserts. Those which have done their duty should be held up as an example for the imitation of those which have neglected it. If Badnugger is still permitted to enjoy the franchise, though it makes no improvements, wastes the rate-payers' money, and poisons them with bad air and water, of a surety Nekkugger will slide into the same evil ways, when she discovers that there is an utter absence of discrimination in the award of *Sirkári* praise or blame.

But what if the evils, which are now confined to the parochial affairs of the Slocum-Podgers and Little Pedlingtons of Bengal, should be permitted to become rampant in matters affecting the imperial interests of British India! And will not such evils be caused by representative councils? The landlords of Bengal will send members pledged to abolish the road cess, and make up the loss by enhancing the salt duty pledged to facilitate evictions and enhancement of rent: the tyots will stipulate for the prohibition of all enhancement: Pleaders will return members pledged to support the various items of the Congress programme, and possibly to abolish all liquor-shops; while traders will stipulate for the repeal of the Income-tax. But, it may be said, if all classes are represented, justice will be done. To this it may be replied that all classes are, under the existing constitution, equally represented; but this would not be so if members were elected. The poorer classes, the masses of the population, would undoubtedly not be represented.

to the same extent as the wealthy and more influential classes. No one can allege that fair and equal representation would be possible. Some one class would command a majority, and they would ruthlessly impose their will on the minority. Such a Council might pass a measure rendering the position of the ryot worse; could such a measure be passed in the Legislative Council as now constituted? Certainly not. Unjust measures might be passed in the one, but not in the other. A member, pledged to support the interests of a particular class, would vote for a measure which might inflict injury on a thousand persons for every one benefited. Even now, it might be said, a non-official might do so. Certainly he might do so, but would he succeed? No. Happily the Legislature is now so constituted that such a measure would have no chance of success. Again, the most necessary taxation might be refused, or it might be imposed in such a way as to give an unfair advantage to those classes unduly represented. The local Bengal Council, even as now constituted, with a large infusion of zemindars or zemindar members, would infallibly offer a strenuous, and possibly successful \* opposition to a local rate on the land for purposes of primary education and sanitation.

The propositions laid down above are borne out by the experience of many countries. They are, indeed, self-evident, and the argument requires no further amplification or illustration.

### XI. EXECUTIVE LEGISLATION.

It is very doubtful whether the Home Government will regard with favour any proposal for the enlargement of the Councils, or the introduction of the principle of representation. The debates in Hansard will show, that the Indian Councils' Act was at the time considered by many to be in some respects an ill-advised piece of legislation, and not altogether suited to India. *One remarkable result of the Act was to take away all power of Legislation from the Executive Government!*

The Executive Government used to legislate for the less advanced portions of the country. Had India been occupied by any other country than England, no doubt the Executive would have legislated for the whole country. But the English lawyer has an inveterate habit of thrusting his own principles and laws on countries utterly unsuited for them. The King's Courts, in their obstruction to the Governor-General and his Council, doubtless thought they were very fine patriots, preserving the undying principles of the English constitution

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\* The words "possibly successful" are explained by what has been remarked above as a peculiar feature of the Bengal Council.

from the inroads of another Charles. For the Executive to legislate would be almost as impious as for a Hindu to kill a cow! So it was that Legislative Councils were established for regulation territories. But the Executive Government continued to prescribe rules or laws for other parts of the country. Sir Barnes Peacock, mainly on the precedents of English constitutional law, and ignoring, or possibly being ignorant of the fact that there was, and had been such legislation in other countries, combated the legal correctness of the doctrine on which the claim to legislate "executively" was based.

The Government, however, continued till 1861 to act as if they possessed this power in respect of all the outlying and newly annexed Provinces. It may be remarked here that Lord Dalhousie would never have pressed for the establishment of a Legislative Council, unless he had unquestionably believed that his Government possessed the same legislative authority over non-regulation territory which the Crown exercises over Crown Colonies up to the moment of according to them distinct legislative institutions. In the debates on the Councils' Act in the House of Lords, the Earl of Ellenborough expressed some indignation at the dictum of Sir Barnes Peacock. He said: "The non-regulation Provinces were conquered countries, and it was the universal law that conquered countries, until they were regularly placed under the ordinary law of the country conquering them, remained under the direct authority of the Crown. These doubts were suddenly started in the Legislative Council by the Chief Justice, and it certainly was very extraordinary that, having acted as legal adviser to the Government for six or seven years in his capacity of Legislative Member of Council, he had never informed the Government he served of the illegality they were committing." Sir Barnes Peacock's opinion was probably wrong, but the Executive Government in India has sometimes to act on incorrect legal opinion. They did so in this case. It was held that, by the passing of the Indian Councils' Act of 1861, all legislative authority over non-regulation territory had been taken away from the Executive Government, while the force of law was given to all the rules which had been made in the belief that the authority existed. No doubt the intention of the statute of 1861 was that local Councils should gradually be established in all the provinces of India; but this was found to be impracticable. The result was, that no new law or rule required for any province other than Madras, Bombay, and Bengal Proper, could be sanctioned by any authority in India other than the Supreme Legislature.

As might have been expected, this position was found



extremely embarrassing and inconvenient. Indeed, the absolute denial of legislative power to the Executive Government, as regards the wilder and less civilized portions of India, was found to be not merely inconvenient, but dangerous. New situations arose, new combinations of circumstances presented themselves, feelings and actions arising out of ignorance, misapprehension, prejudice, or superstition required careful remedies, and yet the Executive were powerless to pass the new rules and laws required. Public opinion in England exacts from the Executive Governments of India the responsibilities of a despotism, and yet many of these Governments can do nothing without asking for a law from the Supreme Legislative Council,—a Council which is not directly responsible for the peace and good Government of the territories for which it legislates.

This state of things lasted for nine years, namely, from 1861 to 1870. In the latter year a more summary legislative procedure was provided by the statute of 33 Victoria, chapter 3. The preamble and first section of the Act are as follows :—

Whereas it is expedient that provision should be made to enable the Governor-General of India in Council to make regulations for the peace and good Government of certain territories in India, *otherwise than at meetings* for the purpose of making laws and regulations, held under the provisions of the Indian Councils' Act, 1861, and also for certain other purposes connected with the Government of India :—

Be it enacted, &c. . . . as follows :

I. Every Governor of a Presidency in Council, Lieutenant-Governor, or Chief Commissioner, whether the Governorship, or Lieutenant-Governorship, or Chief Commissionership, be now in existence or may hereafter be established, shall have power to *propose* to the Governor General in Council, *drafts* of any Regulations, together with the *reasons* for proposing the same, for the peace and government of any part or parts of the territories under his government or administration, to which the Secretary of State for India shall, from time to time, by resolution in Council, declare the provisions of this section to be applicable from any date to be fixed in such resolution.

And the Governor-General in Council shall take such drafts and reasons into *consideration*, and when any such draft shall have been *approved by the Governor-General in Council*, and shall have received the Governor General's assent, it shall be *published* in the "Gazette of India" and in the local Gazette, and shall therefore have *like force of law*, and be subject to the like disallowances as if it had been made by the Governor-General of India in Council at a meeting for the purpose of making laws and regulations.

The Secretary of State for India in Council may, from time to time, withdraw such power from any Governor, Lieutenant-Governor, or Chief Commissioner on whom it has been conferred, and may, from time to time, restore the same as he shall think fit.

Such Legislation may be called informal or quasi-executive legislation. The section was applied to Ajmir and Merwarra on the 15th March 1871; to the Andaman and Nicobar Islands on the 15th July 1872; to certain districts of Assam on the 1st January 1873; to Coorg on the 1st October 1877; and to Upper Burmah (except the Shan States) on the 1st March 1886. It has also been applied to portions of other Provinces. The Supreme Legislature still legislates for the Central Provinces, the bulk of Assam, and the Panjab. There are some who think it would have been better to apply this section to the North-West Provinces instead of giving it a Council under the Councils' Act. There is apparently nothing to prevent the section from being applied even to advanced territories, as the preamble merely uses the words "certain territories."

It is a question whether the section should not be applied to the Punjab, Assam and the Central Provinces. The time of the Supreme Council has been taken up this year in passing no fewer than four Acts for the Central Provinces. These Acts were really the production of the Chief Commissioner, and Mr. R. Crosthwaite went up to Simla and passed them. If the Statute of 33 Victoria had been applied to the Central Provinces, the only difference would have been that *Mr. Crosthwaite would not have gone to Simla*, but that the Chief Commissioner would have *sent the drafts* up to Simla, and they would have been passed by the Executive instead of the Legislative Council. Can any unprejudiced person venture to affirm that the Acts would have been a whit better or worse in one case than the other? As a matter of fact, they would have been exactly the same. Mr. Crosthwaite's Bills passed almost without remarks from any other member. It would be simply farcical to allege that these Bills were likely to be any better for going to the Legislative rather than the Executive Council. If there were likely to be any difference, it would be the other way, as at a secret meeting, with informal discussions, members might be more ready to make suggestions than they would be in a public meeting with press reporters taking down every word. The fact is that questions connected with the land tenure of a Province must be left to the local administration of such Province. I once heard a Madras Judge say, that he had read the Bengal Tenancy Act, but that many parts of it were quite unintelligible to him. So it would be presumptuous of Bengal Civilians to suppose that they could improve a Bill dealing with land tenure coming from Madras or Bombay. And if those whose life has been spent in dealing with matters of land revenue and rent, and the relations of landlord and tenant, could not criticize with advantage measures framed in, and for other Provinces, much less could non-officials hope to do so.

Representative Councils, as they exist in other countries would mean in India a complete *bouleversement* of the existing constitution. Since 1861, as has been pointed out, the Executive Government cannot make any rules or pass any orders having legislative force.\* This, in the opinion of many high authorities, was going dangerously far. Still, the Executive can, through the Legislative Council as now constituted, pass any measure it pleases, though not without formal procedure and delay. If anything be done to take away or lessen this power, the one safeguard of the Empire would disappear. The most urgent question for consideration seems to be, not whether the authority of the Executive should be weakened—and it would be weakened by any expansion of the Legislative Councils, which was an expansion in reality, and not merely in name—but whether, in certain circumstances and conditions of urgency, and under certain restrictions, the Executive Government should not be given the power to issue rules and orders having legislative force, and whether the quasi-executive legislation under the Statute 33, Victoria, c. 3, should not be extended to a larger area of the country. It is instructive in this connection to read the debates on the Councils' Act in the House of Lords. Several speakers dwelt on the fact that there were many persons, and among them those of great authority, who urged that the Legislative Council should be altogether abolished, and that a return should be made to the old system of 1833, placing the power of legislation exclusively in the hands of the Governor-General and his ordinary Council. Several members, Liberals and Conservatives, expressed their opinion strongly, that petty mock Parliaments were quite unsuited to the circumstances of India. Earl Grey said that the existing Legislative Council was an admitted failure: the opposition to Government had been led by one of their own Judges, and this was felt to be an evil so urgently requiring the interference of Parliament, that it was probably the cause of the present Bill. In fact the Bill has been described as a Bill for extinguishing Sir Barnes Peacock. Some members expressed a fear that the Council constituted by the Bill would prove just as unmanageable as the one superseded. As regards this, Earl de Grey and Ripon pointed out that the members of the existing Council held their seats *ex officio*, and were appointed by other authority than that of the Governor-General; whereas the additional members of the proposed Council would be selected by the Governor-General, and would hold their seats for only two years. The

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\* Rules passed under any law, in which the power to make such rules is delegated to any authority by the law itself, have of course the force of law.

Earl of Ellenborough pointed out the urgent expediency of putting an end to the scandal and mischief which had attended the operation of the Legislative Council. It is important to note that it was in the interests of the native population that several members urged the necessity for keeping more power in the hands of the Government. The Earl of Ellenborough said :—" As far as his own Council goes, the Governor-General may almost universally expect that every measure of his, which fairly deserves approbation and support, will receive them, and that they will not be reluctantly given. But beyond the limits of that Council all is uncertain, uncertain even in persons who occupy some of the highest positions under the Government. That arises from this circumstance : there are among the English in India two parties. One of these parties desires to govern India for the English, and to treat it as if it was a property. There is another party which adheres to the Queen's Proclamation—which desires to govern India in the spirit of that Proclamation, and to do equal justice to the Hindoos and Musulmans as well as to the English, and, above all things, to respect the religion of the people. That is by far the smallest party ; and its head is necessarily the Governor-General." The Duke of Argyll, who followed him, said —" The noble Earl should remember that although it was perfectly true that the Governor-General might possibly be a minority in the Council, as he always might have been, yet the Bill amply secured a majority of of that particular class (prominent among which were the Indian Civil Servants) who were for governing India in accordance with the wishes of the natives ; there would be the officials connected with the Governor-General and the members of the Civil Service ; and the independent members, representing the commercial community, would always be in a very small minority. He thought that this was a great security for the good government of India, because, whatever might be said of the shortcomings of the Civil Service, he was sure it would be admitted on all hands that the Civil Servants had uniformly desired to consult the wishes of the native population."

## XII.—CONCLUDING REFLECTIONS AND SUGGESTIONS REGARDING THE MULTIPLICATION OF LEGISLATIVE OR QUASI-LEGISLATIVE BODIES, AND POSSIBLE EXPANSION OF THE REPRESENTATIVE PRINCIPLE.

I must premise that I do not commit myself to the remarks made under this head, which, indeed, are not altogether in harmony with what has gone before. They are suggested by my study of the subject, and a desire to see if there is any practicable and

reasonable means of giving effect to the aspirations of the leaders of the native community to share in the legislation of the country without detriment to the administration but weakening of the central authority.

One or two modes have suggested themselves to me, but the following seems to me to be the best and most practicable, having regard to the conditions of a British dependency and to the circumstances of the country. I think any expansion of legislative representation might take the form of an extension downwards in the official hierarchy of the informal or semi-executive legislation described in the preceding part. I will take the case of Bengal only, with the conditions and circumstances of which I am acquainted. The operation of the Statute 33 Victoria, chapter 3, might be so extended in certain matters as to enable "divisional" councils to propose drafts of laws (or circulars or ordinances having the force of law) to the Lieutenant-Governor. The "divisional" council would be in the position of the Local Government, as described in the first section of the Statute, and the Lieutenant-Governor would exercise the powers of the Governor-General in Council. He might veto the draft, or he might approve it, in which case it would become law. There might be nine separate "divisional" councils for the Province of Bengal, corresponding to the existing Commissioners' divisions, namely, the Patna division, Chota Nagpore, Bhagulpore, Rajshahye, Burdwan, Presidency, Orissa, Dacca, and Chittagong. The Commissioner would be the President of the divisional council, and all the other members would be merely assessors or consultative members: that is to say, it would always remain in the discretion of the Commissioner to send up or not to the Lieutenant-Governor the draft of any law passed by the council. The Lieutenant-Governor might be given power to call for and consider the draft. Supposing a division to contain six districts, the Divisional Council might be constituted as follows:—

The Commissioner, President	...	...	1
The Senior Magistrate-Collector, Vice-President	..		1
The other Magistrate-Collectors	...	...	5
The Chairmen of Sudder Station Municipalities	...		6
Two leading Zemindars	...	...	2
A selected Government Pleader	...	...	1
Two representatives of the agricultural community,			2
One representative of the trading community	...		1
			—
	Total	...	19

I speak of Commissioner's divisions. There are nine such divisions in the Provinces. There are about five districts in each "division."

The representative of the trading community should be a European in indigo, silk, or tea districts; the representatives of the agricultural and trading communities should be selected by the President from names to be submitted by the Collectors of Districts. The former would be chosen for their known identity with the interests of the ryots. The two leading zemindars might be chosen from amongst themselves by all zemindars in the division paying a Government revenue of Rs. 10,000 and upwards. The Government Pleader might be selected by the Commissioner. There can be no doubt that such a council would fully represent every class and interest in the division. It will be seen that the native members would outnumber the European members; but there would be no harm in this, as the council would be purely consultative, and large powers of discretion would have to be vested in the President. Moreover, it might be enacted that a measure could only be carried by something more than a simple majority. With the exception of subjects to be specified by the local Government, any member should be at liberty to propose a law on any subject, which would be brought on for discussion, if two-thirds of the total number of members were satisfied of the necessity for legislation. Such a council would at any rate tap native opinion in a very thorough manner, and its composition should preclude the possibility of any one section of the community gaining an undue advantage over other sections.

It may be said that such a council would be impracticable because of its native majority; that the moral influence of the recommendations of a majority would in time acquire such force as to compel the Commissioner to approve of proposals against his better judgment. I admit the force of this objection. As I have said, I am merely suggesting the lines of possible expansion. The idea is perhaps worth something, and may enable experienced statesmen to work out a safer scheme than the admittedly crude outline to which, as I have said, I do not commit myself. I have already expressed my own opinion in the previous parts of this essay, regarding the absolute necessity for retaining an ultimate official majority, for the simple reason that official members are the only real and true representatives of all classes; they are the only absolutely disinterested members. If non-official members command a final majority, it follows that there might be no representation of the very classes who cannot make their voices heard.

The creation of councils for smaller area units is suggested by the examples of the United States, Germany, Austria, Hungary, and the Swiss Cantons. Much useful remedial legislation is lost to India as a whole, and to its different provinces.

owing to the vast area and the varying characteristics, conditions, and circumstances of the places and peoples to be legislated\* for. Certainly different Commissionerships in Bengal present far greater differences than are to be found in different portions of certain European States having separate local councils. For instance, Austria has separate Provincial Legislative Councils for High and Low Austria, Bohemia, Boukovnia, Carinthia, Cracovia, Dalmatia, Galicia, Moravia, Duchy of Salzburg, Silesia and Styria. These provinces are not so large as many Indian Commissionerships. Of course, there are many restrictions on the amount and extent of legislative independence granted to subordinate provinces of the same State, and those who wish to see an extension of legislative autonomies in India, should bear in mind that in the German, Austrian, and Hungarian provinces, the Government or official control is carefully preserved and safeguarded. It is as an equivalent to this control that I have recommended the grant of an absolute power of veto to the Commissioner-President of the Divisional Council.

Under the Bengal Local Self-Government Act of 1885, District and Local Boards have been constituted, the jurisdiction of a Local Board being co-extensive with a sub-division of a district. But there are sections which provide for the creation of much smaller units, to be called "Unions" which would be groups of two or three villages. Supposing that such Unions have been created, it might be possible on certain questions of parochial, rather than provincial interest, to poll them, and initiate legislation in accordance with the popular vote of a strong majority. Let me instance such questions as liquor shops, fees on *jattras*, processions, marriages and Barwari Poojahs (to be spent in the village,) free primary education, sanitation, tolls, and pounds.\* Popular assemblies, such as the Comitia of Rome, and the early Teutonic Assemblies of freemen have disappeared, but a transference of legislative authority to the voters at the polls is still to be found in Switzerland† and America. The principle is known in England under the name of local option. The difference between America and

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\* We might in this way solve the problem of extra taxation for local wants. It is probable the people would rather increase the funds at the disposal of District Boards, Local Boards and Unions, by small self-imposed fees (to be spent in the village) than to have any pure additional taxation imposed by the Local Legislative Council. Fees on *shrads* or Barwari Poojahs would probably be considered objectionable as an interference with religion.

† The Swiss Federal Constitution (Art. 89) provides that, on the demand of eight cantons, any Federal law of general application, and not of an urgent character, must be submitted to popular vote for acceptance or rejection. This is called the Referendum.

Switzerland is, that in the former country *proposed* legislation is submitted to the popular vote before it is undertaken, whereas the Swiss Referendum can only be applied to laws which have actually been *passed*.

"Divisional" councils, as has been remarked, would only legislate on those subjects on which the Local Government might permit them to legislate. If the subjects were confined to matters of purely local interest, laws in contiguous "divisions" might differ without any inconvenience to the community. The following is a list of the subjects on which the Province of Styria has legislated for itself: construction of buildings; servants; vine-culture and vineries; extinguishment of fires; communes and communal elections; streams and irrigation; roads; agriculture; registration of landed property; district assemblies (*Anglo-Indice*—Local Boards?), and obligations of private persons to assist public officers. This is an instructive list. In other States laws may be found also on the following subjects: parks, forests, hunting, local taxes, lawyers, post-office, pawn brokers, foreigners, press, prisons and rural lands. India, as has been so often pointed out, consists of many countries, many races, and many languages. It is this fact that often prevents the undertaking of useful legislation, and that, too, even by Provincial Councils. It is almost impossible to pass Acts that shall suit equally well the conditions and requirements of all parts of even one Province. A Legislative Council for North Behar, such as I have indicated above, would assuredly pass a Tenancy Act of a very different character to one passed by a council for Eastern or Northern Bengal. The passing of the Bengal Tenancy Act reminds us of the way in which Procrustes operated on his victims; a limb is lopped off here to satisfy the pro-ryot members, whose service has been mostly in districts where the ryot is badly off and oppressed; another limb is stretched out to satisfy the pro-zemindar member, and so on. Just as Procrustes stretched all his victims, big or small, on the same iron bed; so the same Act is thrust on all districts alike, no matter how different their conditions and necessities.

If there were a council for each division, the conditions to be legislated for would be the same or almost the same. Let us illustrate our argument further. Suppose a large majority in the District of Hooghly are in favour of local option in the matter of liquor-shops, why should they be denied the boon, because Patna, Arrah, Gya and Monghyr, if polled, would be against it? Mr. Whitley Stokes' Easements Act has been laughed at, because it was passed only for Coorg, Madras, and the Central Provinces. When it was passed, there was a prejudice against codification and the codifying Law Member. Other Provinces would have none of the unholy thing. It was a case



of *timéo Danaos et dona ferentes*. But there was no reason why the great territories of Madras and the Central Provinces should do without legislation they wanted, because other Provinces did not want it, or thought \* they did not want it.

The existence of "Divisional" councils would be useful in two ways. Firstly, they could legislate with greater certainty and confidence on the petty matters entrusted to them, as their personal experience would extend to the whole of the area legislated for. Secondly, the Local Government would have a reliable body to consult in the matter of the extension of the various Acts passed by the main Provincial Council. As has been remarked, the great clog to remedial measures and improvements is the enormous area to be legislated for. Perhaps six Collectors are in favour of certain legislation, while six others are not: but they *may* all be perfectly right, *quoad* the requirements of their respective districts. The consequence is that inaction is preferred to action as being safer. Of course the *laissez faire* policy is all very well if it means leaving *well* alone; but it is just the reverse when it means leaving *ill* alone.

"Divisional" councils would be useful as responsible consultative bodies in this respect. Just as the Government of India often passes an Act, leaving it to Local Governments to extend it to their territories or not as they please, so the Local Government might enact a larger body of *législation facultative*, leaving it to the discretion of Divisional councils to extend it to their divisions. Of course the Provincial council would only act in this way when it doubted the advisability of a general application of the Act, and not where it was satisfied on such point. Many instances could be given of matters in which legislation of this character is called for. At present one part of the Province is starved in one matter, because the authorities of another part say they do not want any food of that description, and *vice versa*. One district would allow village punchayats to inflict small penalties for sanitary offences, while another would not. Members of the same community or religion are often divided on some important question affecting their interests. But why should they not all be pleased? Why should an Act be denied to those who want it, merely because others say they do not want it. Let us instance the Mahomedan Marriage Registration Act. Suppose the districts of Rungpore, Dinajpur and Rajshahye to be in favour of compulsory registration of marriages and divorces. Why should

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\* I say "thought," because it would be far better to extend the Act to other provinces. The Civil Courts would have a compact code to refer to, instead of having to grope about for the law in diffuse English treatises, such as those of Gale and Goddard.

they be deprived of a compulsory Act, because the Mahomedans of Tipperah and Backergunge think registration should be voluntary? Again, forest preservation and game laws are matters *par excellence* in which the opinion of the community affected should be consulted, and a "Divisional" council would exactly represent such opinion.

Provincial councils sometimes bemoan the restrictions on their power of legislation; but no one who has paid any attention to the subject can doubt that they might, had they been so resolved, have accomplished a good deal of useful legislation. The obstructions are two fold—firstly, the English lawyer influence in Presidency towns, which is opposed to much legislation; secondly, the large area and differing characteristics of the province to be legislated for. I am inclined to think Provincial Councils might, with advantage, take a leaf out of the book of some of the American States; I mean that they might pass measures for improving the condition of the vast majority of the population. Agriculture is the principal occupation, the principal source of livelihood, of the people all over India. This being so, it behoves the Government to pay especial attention to the welfare of the agricultural community, on the principle of conferring the greatest good on the greatest number. The average mediocre English lawyer advocates the *laissez faire* policy, and deprecates State control. In the innocence of his heart, he really believes that he is saving the people from oppressive and officious interference. Nothing could be further from the truth. With agricultural, commercial, and industrial development, the State must step in more and more to see that labour gets the hire to which it is entitled, and to regulate the relations of employers and employed. The Indian administrator is often struck by the fact, that the wages of a daily labourer remain unchanged for twenty years together: "rates" (nirokh) for coolies, carts, palki-bearers, &c, are very stubborn things. Are they not enshrined from time immemorial in the office of the Collector and Magistrate, and who shall disturb them? The law must sometimes step in to break custom.

The case of the State of Minnesota\* is much in point. Minnesota is an agricultural state and minute legislation has been passed with the object of securing to the cultivator the full market price of his crop, and to prevent his being placed at the mercy of elevator and railroad companies. There has been in Minnesota no lack of disposition

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\* See "Contemporary Review" for May 1887. Article on "The American State and the American Man." By Albert Shaw.

to carry State regulation to the extremest lengths, and hesitancy has arisen only from the fear lest the farmers might injure themselves, if they crippled the railroad and elevators with over-severe restrictions. The railroad law requires, among other provisions, that cars shall be supplied to any applicant, and that the right to build warehouses on railroad land adjoining the tracks shall be freely accorded, and that side-tracts shall be provided.

Contrast this with the absence of all regulating legislation in India. Are not those who send grain by railway in India more or less at the mercy of subordinate Railway officials? It has often struck me that the cultivator always does not get for his paddy or other crops the price he ought to. There is but one railway station to which he can take his rice, and perhaps, owing to bad roads, he can only take it there during one-half of the year. Perhaps all the operations there are monopolised by an up-country Bania or a Marwaree. The cultivator does not know how to ship the rice himself, or to whom to send it, even if every facility were given him. He must sell to the "ring" who have established a monopoly at the railway-station. They, perhaps, give him a fair price, but not the full price to which he is entitled. In Minnesota the State appoints commissioners, who are required to take up the cause of any aggrieved individual, and prosecute the railways at the public cost and with the aid of the public prosecuting attorneys. Agricultural fairs, central and local, are subsidized from the State treasury, and in one year the Minnesota legislature appropriated a hundred thousand dollars for the equipments of a State fair-ground. The farm buildings and eighty acres of land constitute a homestead exemption, which is safe from all attachment and execution processes. Contrast with this the exemption in sec. 226 of the Code of Civil Procedure. In Dakota the "exemption" laws are far more liberal than in Minnesota. In Bengal the agricultural community asks for bread, and they are given stones in the shape of price-lists, estimates of outturn of crops, jute-forecasts, packets of Buxar wheat sent to be sown and reported on by zemindars who want to become Rajas, and swarms of locusts and leeches in the shape of survey and settlement establishments to harass them and suck their life-blood out.

Again in the States and territories of the grazing belt, there are minute cattle-laws. The Statute books of Montana and Texas reveal the importance of cattle-raising, while the laws of California bear the impress of a mining community. Of course such legislation sometimes overreaches itself; but in the main it confers inestimable benefits on the community in whose interest it is undertaken, that is, on the majority of the

population. Jealousy for the freedom of the individual has not prevented legislation from prohibiting the sale and manufacture of liquor ; but, of course, such laws are obeyed only so far as they are in accord with local public sentiment ; beyond that point they are a dead letter. Mr. Shaw says :—"The American Economic Association—a new body, including as members a majority of the best political and economic students of the country—frankly repudiates *laissez faire*, and publishes as the first in its statement of principles :—"We regard the State as an agency whose positive assistance is one of the indispensable conditions of human progress. Let this doctrine be accepted without qualification. Let it be understood that it is within the legitimate province of the State to do anything and everything." I am convinced that the result of an emancipation from the *laissez faire* bugbear, which now exerts so unfortunate an influence, would be a more careful and scientific law making. Certainly the history and circumstances of India are in favour of state control, regulation, and interference. If there be such control and interference in matters of taxation and the like, why should local legislatures shrink from passing measures calculated to increase the wealth of the people, and make their lives happier ? \*

It may be urged by those who oppose the idea of "Divisional" councils, that the Collectors of districts are equally capable of ascertaining the real opinion of their districts, and reporting it to the Commissioner. To such critics I merely reply that I have offered the above suggestions with great diffidence, and not with any conviction of their practicability. The "Divisional" council gives some scope to educated aspirations, and it recognizes the principle of local representation. I have, therefore, suggested it. No reasonable man will admit the wisdom of suddenly thrusting on Oriental nations the institutions of the West, the slow growth and product of many centuries. But unfortunately would-be reformers count unreasonable men among their ranks, men who think that new wine should be put into old bottles, men who have no faith in the adage '*Natura nihil fit per saltum*.' The spirit of breathless (but not harmless) benevolence is a factor, the existence of which cannot be altogether ignored by the statesman.

Nor can the practical writer on law and administration afford to be behind the age. Though he himself may not have given in his adhesion to the proposition that local self-government and legislation by the people are "like a barber's

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\* We get elaborate procedure codes—far too elaborate!—*Usque ad satietatem* ! The country wants cheap and simple procedure. It wants less adjective law, and more substantive law, directed to the wants of the people and the development of the resources and wealth of the country.

chair, that fits all buttocks," occidental or oriental ; still he must not lose sight of the fact that this eternal principle is being constantly quoted by those who have considerable power and influence, and are in a position to bring pressure on the Home Government with the view of effecting radical alterations in the constitution of the country. The writer does not say that these alterations ought to take place ; but if they are to take place, he suggests a means of effecting the object aimed at, without detriment to the country or the administration. He has tentatively suggested a scheme, which may cause ideas to fructify in the minds of Indian statesmen of large experience, and so may indirectly lead to propositions of a possibly safer and sounder character in the same direction.

" But words are things, and a small drop of ink,  
Falling, like dew, upon a thought, produces  
That which makes thousands, perhaps millions, think."

H. A. D. PHILLIPS.

#### ADDENDUM.

**I**T was after I had written and finally revised this article that I received (November 1st) from Mr. Charles Bradlaugh, M P., the draft of a Bill for Reforming the Supreme and Provincial Legislative Councils of India. My article, it seems, will appear at a very opportune moment, and (should Mr. Bradlaugh succeed in bringing on his Bill) will doubtless be read by those members in either House, who take any interest in Indian affairs.

I regret that I have been unable to comply with Mr. Bradlaugh's request to make his draft Bill the subject of my criticism ; but, as I shall shortly be in England, he will perhaps be willing to discuss with me, personally, this and other administrative problems relating to India. The able member for Northampton boldly and honestly asks for criticisms, whether for or against his Bill, as they will be of "exceeding value in guiding" him ; and I venture to think my article virtually criticises his Bill, and will suggest to him many points for consideration. He has, perhaps, looked at things hitherto through the non-official (or shall I say, the Congress) telescope ; let him now turn the telescope round and look through it the other way, and he will see that what had appeared to him to be very large evils and abuses, have become very small ones. Perhaps the truth lies at some point between the magnifying non-official and the minimizing official lens. If Mr. Bradlaugh desires the material advancement of India and the general prosperity and happiness

of its populations, there are numerous officials who will not yield to him one jot in that respect. There are others besides him who claim to have the *perfervidum ingenium* of the reformer. Though I may not advocate any radical alteration in the constitution of the Legislative Councils, there are other institutions which more urgently call for the attention of the reformer.

Threatened existing institutions live long, and reformers have a rough time of it, getting more kicks than half-pence, that is, more abuse than fair criticism. However, they have ample consolation in the knowledge that, when a man shirks the real issues, forsakes argument and criticism, and gives vent to mere disparagement and abuse, he pays the best tribute he can to the truth and unanswerable nature of his opponent's case, while he shows that he has no case himself. The *bond-fide* reformer cannot help feeling indignation at what he considers gross abuses, and he is compelled by the *vis major* of honest indignation to do all he can to remove those abuses. Those who are opposed to proposed reforms gain little good by attacking or pooh-poohing the reformer; let them demonstrate to the public that the so-called reforms are injurious. This I have attempted to do as regards the proposed radical alterations in the constitution of the Legislative Councils. Though I had not the advantage of having Mr. Bradlaugh's Bill before me when writing my article, yet I venture to think that the article makes out a strong case against the radical alterations proposed in the Bill. However, all honest reformers are always open to solid argument, and I should certainly like to discuss the subject-matter personally with Mr. Bradlaugh; possibly such discussion might result in our both modifying our respective views.

It will not be out of place to mention here that, during the debates on the India Councils' Act in the House of Lords, a proposal was made by Earl Grey for the establishment of a purely consultative Council; and this was the most radical proposal that was put forward at that time. Earl Grey admitted that anything like representative Government in India was impossible; he even deprecated publicity of discussion, saying his experience as Colonial Secretary of some of the Colonial Legislative Councils, had convinced him of the danger of it; and he went so far as to say that the power of legislating should be concentrated in the hands of the Governor-General and the *Executive* Council. But he thought some means should be adopted for the declaration of public opinion on measures before they were finally adopted. "He proposed that a body should be constituted that, for the want of a better name, should be called a Council of State, limited in number, but still comprising as many members as might be found

convenient, and consisting of men of the most distinguished character and station in India, of different races and professions, so that the whole community might be fairly represented. From this body the Governor-General should have the power of nominating Committees to inquire into any subject on which legislation might be required, and to prepare drafts of laws upon them. He further proposed that all draft laws, which the Governor-General thought were proper to be passed, should, before being finally considered, be submitted to a meeting of the Council of State. . . . . Some of the greatest laws passed during the reign of Napoleon were mainly put into shape by the Council of State, a body which possessed no legislative powers but was simply a consultative body." The amendment was strongly disapproved and negatived. Earl de Grey and Ripon spoke as follows concerning it: "The noble Earl, (Earl Grey) said that the Council would be too much open to the influence of public opinion at Calcutta, and too ready to make speeches appealing to public opinion in this country and in India. What was the remedy proposed by those who took objections to the measure supported by the Government? They proposed to establish, apart from the Governor-General, contrary to immemorial custom, and unconnected with his authority, a great Council of State, which was to deliberate in public, to have its proceedings reported, and was then to submit its recommendations to the Governor-General. But was not an independent Council such as that suggested by the noble Earl, much more likely to overpower the Governor General, and to force their opinions upon him, than a Legislative Council of the character indicated by the Government? This Council of State, according to the noble Earl, was to be composed of a large number of persons in high position and of great weight, representing, as far as possible, the various opinions and interests existing in India, and enjoying the superadded importance of rank and standing. Were such a Council established, one of two things would happen: Either it would have no real power, would be unable to influence the Governor-General, and would find its opinions constantly disregarded—in which case men of weight and influence would decline to sit upon it, and as a deliberative body it would fall into desuetude and disgrace—or, the much more probable result would ensue, that such a Council, being independent of the Governor-General, having among its members no representative of the Executive Government, and being invited to conduct its deliberations in public, would be enabled to submit its recommendations with such authority that, except in cases of great emergency, the Governor-General would find it impossible to disregard their opinions."

The existing Congress, though not recognized by law, is a Council of this character. Their opinions and resolutions are forwarded to and considered by the Government of India. They have informed the Government that they desire a complete separation of judicial and executive functions ; that the Police administration is unsatisfactory and oppressive ; that the industrial condition of the people should be developed ; that insobriety should be discouraged ; that the system of trial by jury should be extended ; that natives should be enlisted as volunteers ; that arms should be carried without licenses ; that the Legislative Councils should be expanded ; that the age for competing for the Covenanted Civil Service should be raised to 23 ; that the taxable minimum of income under the Income Tax Act should be raised from ~~Rs. 500~~ to Rs. 1,000 ; and so on. The Government is in the best position to estimate these resolutions at their proper value, and would, no doubt, be glad to receive similar resolutions regarding social and moral reforms. Such opinions and resolutions would not be of any greater intrinsic value by reason of the conferment of some legal status on the body from which they have emanated.

As to Mr Bradlaugh's Bill, I humbly think it goes too far. If Legislative Councils are to be expanded, and the principle of representation introduced, such alterations should be made tentatively and hedged round with safe-guards. The passing of Mr. Bradlaugh's Bill as it stands, would be the insertion, not of the thin end, but of the thick end of the wedge ; it would not be the capture of some subsidiary out-work, but the surrender of the main fortress itself. If the Legislative Councils go, all else must rapidly follow.

H. A. D. PHILLIPS.

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## ART. IV.—CAMEOS OF INDIAN DISTRICTS.

### *IV.—Karnal, Panjab.*

TO find the town and station of Karnal on the map is by no means difficult. It is only necessary to run the eye along the Grand Trunk Road 73 miles from Dehli to the north, or to follow the same guide 47 miles south from the Cantonment of Umbala.

The administrative area of the district of to-day will hardly be found from any map however modern, because its boundaries have been altered from time to time in a very puzzling way, even for those who know the landmarks. In the present year 89 villages were added by transfer from the Umbala District, while a circle of fifteen estates, of which the capital was Badladha, 101 miles from Karnal by unmetalled road, have been made over to the district of Hissar, from which the curious island that they form in the territory of the Patiala State, is at least moderately accessible. There are still a number of isolated villages scattered to the north and west beyond the border.

The origin of these peculiarities lies in the history of the tract, and that again depends on its physical character. The huge Himalayan spur, from which the stations of Simla and Kasauli overlook the basins of the Satlej and the Jamna dips to a low watershed which can be traced in the plains from below Nahan to the point, a little to the north of modern Dehli, from which the rocks of the Aravalli system rise out of the alluvial flat to join the hills of the ancient Central Indian plateau.

The waters which collect from the eastern and southern aspects of this ridge flow to the Jamna, and ultimately to the Bay of Bengal. From Sirhind and Umbala southwards, the surface floods that drain towards the west are sooner or later absorbed in the always thirsty and often rainless tracts that skirt the central uplands of the Province.

In seasons of excessive rain submountane torients from the Siwalik tract below the Simla and Sirmor ranges, produce a chain of swamps extending from the sacred towns of Thanesar and Pihowa to Kalhal (in the west of the present district of Karnal); and similar morasses formerly rendered the tract between Karnal and Ferozepore to the east, and the ancient settlements of Salwa and Sahiwal to the west, impassable.

Beyond this belt of fens to the west and south, the Jangal Des, or "Great Waste Land" stretches to the Satlej, and formerly was almost uninhabited. The soil being light and often sandy, supports, even now, a sparse if industrious population. Caravans and armies therefore from the west kept to the well-stocked country closer to the hills, by roads leading from the Indus to Sirhind; and from Sirhind again the southern route, since immemorial antiquity, has lain through Panipat to Dehli. Timur, it is true, marched across the "Jangal Des" by Samana and Kaithal, and a somewhat similar line was followed by the East India Company's military road from Karnal to Ferozepore, but these were exceptional cases.

From the time that Ali Mardan Khan, Engineer-in-Chief to Shah Jehan, remodelled the canal which had been dug to bring the waters of the Jamna across the ridge already described to the hunting palace of Firoz Shah Tughlak at Hissar, the key to the defences, of Dehli lay at the King's Bridge (Badshahi Pul) by which the imperial road crossed the canal some 15 miles to the north of Panipat. Between the outpost at Tiraori—which was built by order of Aurangzeb, and named after an infant prince Azimabad—and the Royal Bridge, there lay an intricate and dangerous labyrinth of marsh and thicket, in the heart of which the petty fort of Karnal commanded the right bank of what was then the main channel of the Jamna.

When Nadir Shah in 1738 A. D. captured Azimabad, the Imperial army was entrenched close to Karnal, and there sustained reverses which led to the capitulation, on the 13th February, of Muhammad Shah, and all the subsequent calamities. For the rest of that century Karnal remained an important military post, the country to the north and west being abandoned to the growing power of the marauding Sikhs, or to the Afghan incursions. During the period of decline the semblance of Civil Government was maintained in the name of the puppet Emperors of Delhi at the ancient town of, Panipat. Beyond Karnal the once fertile province of Sirhind was plunged, for more than a hundred years, in the wildest anarchy, from which there gradually emerged a host of petty States, each swayed at his personal and often savage caprice, by one or other of the Sikh barons who had risen to power on the ruin of the Delhi State and the decay of the Khálsa institutions.

In the battle fought beneath the walls of Panipat on the 6th of January 1761, the Durrani army shattered at a blow the Peshwa's ambitious dreams and the tottering remains of the Moghal supremacy. In 1795 the Sikhs under Bhag Singh, the Chief of Jhind, were driven beyond Karnal by the gallantry of Thomas, to whom Sindia assigned the somewhat thorny gift of

the fort and its adjoining villages. No sooner, however, did that restless adventurer march to seize his other grants in Jhajjar and Hissar, than the Sikhs combined to surround so dangerous an intruder, and while Thomas retired to Hansi followed by the chiefs of Jhind and Kaithal with a swarm of lesser hornets, the Ladwa Raja occupied the fort and town of Karnal, from which, in spite of sundry flourishes of General Peiron's trumpets, he was never really dislodged till his final expulsion in 1804 by the British forces. The policy of Lord Lake excluded the Ladwa Raja and his ally of Thanesar from the amnesty of 1805, by which peace at least was restored to the wretched people of the Jamna valley. Since Gurdatt Singh's matchlock men marched out of the petty stronghold at Karnal, it has served many unwarlike purposes, and is now the Court-house of the Tehsildar-Magistrate at the head-quarters of the British district of Karnal.

To return to 1805 ;—the statesman who had exorcised the demon of misrule from the Dehli territory was recalled, and the reaction which ensued has been graphically put by Sir David Ochterlony, who then held chief Military and Political control at Karnal :—

“ The fact is notorious that the policy of those times considered the most of our acquisitions beyond the Jamna as incumbrances ; and the Governor-General's Agent's only embarrassment was, how to dispose of what Government had declared they could not, or would not, keep, in the manner least likely to be ultimately injurious to our vital interests. With this object in view, he formed a belt of Jagirdars round our ultra-Jamna possessions from Karnal to Agia.”

This policy, however, had reckoned without the master of Lahore, and in 1806, Ranjit Singh, to whom maps and treaties were matters of very small account, crossed the Satlej in force and occupied Thanesar. Diplomacy kept him at arm's length for a while ; but the situation was unmaintainable, and by proclamation of the 3rd of May 1809, Lord Cornwallis' belt of united Jagirdars was conveyed in perpetuity to the use of chroniclers and moralists. A cantonment, the Peshawar of its day, was formed at Karnal, and all the territory formerly held by the Sikhs to the south, with the exception of a few villages which remained with the Raja of Jhind, was placed, with other tracts ceded by the treaty of Sirji Anjanagaon, under the civil charge of a Resident at Delhi. The Nawabs and Khans, Sirdars and what not, friendlies and unfriendlies, were left to fight it out undisturbed, so long as they respected the sacred boundary line of the cantonment pillars.

The prescription of the Ladwa and Thanesar chiefs led to the growth of a host of petty states between Karnal and

Umbala, where a subordinate Political Agent was established. To the west the country was divided between the Raja of Jhind and the Bhai of Kaithal, the representative of a line of military priests whose position in the Sikh Diet was not unlike that of the Prince-Bishops of certain uncomfortable times in European history.

In 1824, as matters became more and more settled, the Delhi territory was re arranged under Civil Districts. Of these Panipat was one, and embraced the older portion of the modern district of Karnal, the Panipat Sub-Collectorate namely, and half that of Karnal, known to revenue officers now as the Karnal Parganna. It also included the Sonapat tract, since transferred to the Collectorate of Dehli.

By 1832 matters were thought to be ripe for bringing the frontier administration into accordance with certain patterns which were in vogue in the Lower Provinces. The whole machinery of the "Sudder Board" and the "Sudder Adawlut" was, on paper at least, duly extended to the N. W. border, to the precise point that is commanded by the guns in garrison at Karnal; and as the Jagidars or petty kinglets at Shamgarh, Sikri, and other "peels" or "gairhis," as such keeps would be called in the frontier districts of to-day, were so misguided as to intimate that they would rather risk the guns than allow the myrmidons of the "Adawlut" safe conduct over their particular preserves in search of thieves, they were convinced of the error of their ways by having the \*criminal jurisdiction of the Magistrate of Panipat extended, by a stroke of the pen, throughout their holdings.

The Kaithal tract had remained in 1809, as already mentioned, with the "Bhaikian" house, so called to distinguish it from the second branch of the same line, the "Phulkian," or sons of Phul, of which the chiefs of Jhind and Nabha, and the Maharaja of Patiala are the ruling representatives. The Bhaïs themselves originally held the tower and lands of Bhuchonke (in the modern district of Ferozepore), and the founder of the Kaithal power, Bhai Desu Singh, acquired the nucleus of the principality, about 1760, expelling from Kaithal sundry Pathans, also the Mandals of Samana (near Patiala) whom the disorder of the times had tempted to take a share in the scramble which their betters had set on foot for fiefs and kingdoms.

On the 15th March 1843, Bhai Ude Singh, the last of the nominal heirs of Desu Singh, died at Kaithal without issue or nearer kinsmen in the male line than the descendants of a brother of Bhai Desu Singh, who held under the Kaithal

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\* The Chiefs, however, did not lose their current criminal powers till later.

chief by a Zaildari tenure, as the term went, the lordship of Arnauli. The Phulkian States at once sent agents to the Kaithal capital where Mr. Greathed had been deputed through the Resident at Delhi as Political Officer on the part of the Governor-General to provide for the escheated principality. The Sikh deputies instead of helping the British representatives, kept secretly fomenting trouble on their own account, which culminated on the 10th of April in the flight of the Queen mother Rani Sahib Kour, who had long been the real director of the State, and an open mutiny of the Kaithal forces, headed by an adventurer named Teg Singh.

Mr. John Lawrence, the Collector of Panipat, promptly despatched such levies as could locally be raised through the Nawab of Kunjpura and other sources, and regular troops followed, by whom the incipient rebellion was suppressed, and the town and fort of Kaithal occupied by the British Power, while the leader of the revolt was captured by the Maharaja of Patiala. These events led to the establishment of the Kaithal district under an Assistant to the Agent to the Governor-General at Umbala. The first officer who held the Assistant's post at Kaithal was Major H. M. Lawrence. How "Henry Lawrence strove to do his duty" during the six months he ruled at Kaithal before his transfer to the Residency in Nepal, will be seen afterwards.

In a minute on the newly settled tract, he had shewn how little reliance could be placed on the Cis-Satlej feudatories, and his firm hand had scarcely yielded up the reins before his words were amply verified.

On the 4th December 1845 the Sikh army advanced across the Satlej and the loyalty of the Cis-Satlej chiefs melted like a morning cloud before the spells of the Khalsa Generals. Only the Patiala State emerged with honour from the trial; the rebel chief of Ladwa who

"with an estate of £10,000 a year, almost openly avowed his  
"treason, and after a time went over to the enemy with all his  
"troops and artillery,"

was deposed; and under a despatch of the Governor-General of the 17th November 1846, his ill gotten estates were once for all included in the Kaithal district, and the jurisdiction of the officers in charge of that territory, and of the district of Panipat (Karnal) was extended, in all matters of Police and Civil justice, throughout the areas included in the boundary of their respective charges. Among the feudatories whose powers were thus forfeited, was the Pathan Nawab of Kunjpura, a little town five miles to the east of Karnal, in the Indri Khadir.

At the same time the ~~baronial~~ customs and the vexatious

tolls which hampered traffic at the barriers—sometimes less than half a dozen miles apart—of every little potentate, were swept away, and as the Jagirdars (or medialized chiefs) complained that without the rabble of horse and foot which served them as a civil establishment in case of peace, and military levies in time of war, they could no longer squeeze their revenues from the luckless tillers of the soil, a settlement of their Jagirs or land grants was in train, when the outbreak of the second Panjab War postponed the question.

That struggle ended, the policy declared in 1849 put an end to the last vestiges of anarchy in the Cis-Satlaj country, a revenue settlement of the land beyond the Dehli territory was ordered, and the Kaithal and Umbala tracts were included in the newly formed province of the Panjab, the Karnal and Panipat jurisdiction remaining with the Lieutenant-Governor of the N.-W. Provinces at Agra.

In 1850 the Thanesar principality finally lapsed by failure of issue and was included in the Kaithal district, and concurrently the new district of Thanesar was formed from the territory thus escheated, together with the Ladwa and Kunjpura Jagirs, as well as certain minor grants in the same neighbourhood. The head quarters of the new district were removed from Kaithal to the more accessible but very unhealthy site of Thanesar.

In 1859 the Delhi territory was transferred from the Lieutenant-Governorship of the N-W Provinces to the Chief Commissionership of the Panjab, and in 1862 the district of Thanesar was broken up, the northern portions, including the town of Thanesar going to the Umbala district, while Kaithal and the Indri Parganna (chiefly consisting of Kunjpura and part of Ladwa, with certain minor Jagirs) falling to Karnal, the headquarters of the district being at the same time taken to the old cantonment (disused since 1841) from the former seat at Panipat. Several other changes, but of less importance, have occurred in the interval.

This retrospect does not pretend to be a historical sketch. Fully to describe the almost incessant changes of masters this luckless strip of land has suffered, the contending forces it has in turn supported or endured, and the conflicts it has witnessed \* since the "sparks that clashed from the weapons of the Mahabharat heroes burned its soil," would take not one but several volumes.

By whichever side the victory was claimed, the unhappy peasantry might look for unsown fields or crops destroyed,

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\* Report on the Settlement of the Panipat, Indri and Karnal Pargannas, by Denzil C. J. Johnson, C.S.

if, indeed, they had not to bewail invaded hearths and ruined homesteads.

The change effected on the Kaithal border by Sir Henry Lawrence is thus described by his own pen :—

"The old state of the country may be gathered from the fact of more than a hundred men having been killed and wounded in a single boundary dispute not above 4 years ago, between two villages of Kuttana and Jhind: from the village of Pae, within a march of Kythal, and for forty years an integral part of the territory, having within the last ten years withstood the army of the Bhai for eight months: and from the inhabitants of Chatur, in Kuttana, never having allowed the Sikh officials to enter their village, being permitted to pay their † Kists at the Thana of \* Kuttana. In fact, the whole system was one of expedients, sparing the strong and squeezing the weak." . . . . .

"From April to September, 85 persons were convicted and sentenced for thefts and petty robberies. Not a case of gang robbery or wholesale cattle-lifting happened after the first week of our rule. One murder took place, that of a Jail burkundaz by three prisoners, who were made over to the sessions."

"On the first October there were in Jail 141, on bail 25;—a number that may not be considered extraordinary when it is recollected, not only by what a lawless neighbourhood Khytal is bordered, but that at least a hundred criminals were let loose upon the country when the outbreak occurred; and that robbery and outrage were scarcely discountenanced by the old Government, and actually recognized by many of the officials."

The condition of husbandry under a rule which fostered rapine as better Governments have striven to foster tillage, may be inferred from the following passage :—

"Many villages in Purgunnahs Agoundh, Cheeka and Khas Kythal had so deteriorated, that hundreds of wells were unused, and little or nothing had for years been collected from the land; so bad were matters that the late Bhaee had been obliged to grant an abatement of Government demands in these quarters, and in some instances to accept a fourth in lieu of the former rate of a third of the crop. Such, indeed, was the desolation of portions of the district, that in April and May last, when looking from the tops of the towers at Poondree Haburee, Kuttana, and other places, I could often see miles and miles of good land without a single acre of cultivation."

Half a year afterwards the Assistant Agent writes as follows :—

"The last rains having been very favourable, and confidence being restored, the rice sowings in July and August were, in many quarters, five times as much as in the preceding year. In one instance, as I was riding along the † Assant border of Kuttana with Raja Sarup Singh, we heard and saw the husbandmen singing as

\* Revenue Instalments.

† A popular version bears that the money bags were handed over the village palisade on the end of a pitchfork.

‡ Asandh, near Salwan.

they drove their cattle through the saturated fields. The Raja smiled and called my attention to their air of security, observing that, if they had been so employed last year, the chances were that these cattle would have been carried off by some foraging party."

In the piping times of peace criticism is easy ; and it may be said that Lawrence was possibly disposed to over-rate the evils which he had made it his task to remedy ; let us call another witness then, his successor, namely, at Kaithal, Captain Abbott, who made the second Revenue Settlement of the tract.

"The arm of the law, if law it can be called, was weak ;—paralyzed ; no protection was given to person or property ; indeed, the State set the example, and plundered without remorse. It was the most common occurrence to mark off a slice out of a village on which to locate a favourite,—entire disregard being had to right or possession. The State considered all land its own to be dealt with as it pleased. Cattle at graze were attended by bodies of armed men ; forays and bloodshed were frequent and common ; and want of security caused zemindars to plunder in self defence.

"Occasional attempts were made to extend cultivation by cuts from the rivers, but these required a Bund across the stream which it was necessary to protect by a tower ; indeed, a well could not be worked without a tower into which the wood work and bullocks were deposited during the night or on approach of plunderers."

A history of the ills entailed upon the Karnal country by the fate of its position will be found in Mr. Ibbetson's Settlement Report already quoted, a mine of information and research not only for the tract with which it deals directly, but regarding the people and antiquities of the district generally.

He thus describes the state of things which the Company's officers found on the occupation of the Panipat tract in 1804 :

"So ended that terrible time called by the people *Singásháhi ká Rám-Raula* or *Bhógardi*, the "Sikh hurly-burly," or the "Mahrattá anarchy." Its horrors still live vividly in the memory of the villagers. The Sikhs never really established their grasp over the country south of Panput ; and they held what they did possess only as feudatories of the Mahrattás. But the whole period was a constant contest between the two powers ; and the tract formed a sort of no-man's-land between their territories, and, coveted by both and protected by neither, was practically the prey of the strongest and most audacious freebooter of the day, whether hailing from the Panjab or the Deccan, for nobody cared to spare for to-morrow what he might only possess for to-day.

"Out of 221 villages in *parganah* Karnál, the inhabitants of 178 had been wholly driven from their homes and fields. The royal canal had long dried up, and thick forest had taken the place of cultivation, and afforded shelter to thieves, vagabonds and beasts of prey. In 1827 Mr. Archer remarked that "only a very few years had elapsed since this part of the country was inhabited wholly by wild beasts." Deserted sites all along the old main road still tell how even the strongest villagers had to abandon the spot where their fathers had lived for centuries, and make to



themselves new homes on sites less patent to the eyes of marauding bands. Every village was protected by brick forts and surrounded by a deep ditch and a wall of some sort ; every group of villages was at deadly enmity with its neighbours ; and there are several instances where two contiguous villages, in memory of a blood feud dating from the Mahrattá times,\* refuse to this day to drink each other's water, though otherwise on friendly terms. In 1820 the Civil Commissioner reported, and the Governor-General endorsed his conclusion, that "the native administration took no concern in criminal justice or police, any further than as its interference in those respects might be made subservient to its immediate pecuniary gains ; and that the village communities, while they held the property of their own society sacred, habitually committed depredations and aggressions on other villages or on travellers; and generally shared the plunder they obtained with the ruling power or principal local authority."

The physical features of the district have been already partly indicated. It is essentially a district of the plains, though from west to east its surface dips by successive undulations, from the edge near Kaithal of the central plateau of the Punjab, to the valley of the Jamna, which is the western fringe of Hindustan. The declivity from the northern border near Thanesar to the south and west is reckoned at about two feet to every mile. This almost imperceptible incline is not broken by any cross ridges, and so differs from the eastern slope, which is intersected by the crest of the general watershed.

The alluvial belt of the Jamna valley, called the Khadir, is from five to fifteen miles in width, and presents conspicuous features to the eye in its vegetation especially. It is the home of a wild palm closely resembling the cultivated date, and of several sorts of tall reeds and giant grasses the feathery-tufts of which lend a pleasing effect to the autumn landscape.

Almost every village has its mango garden, and some are dotted with groves, while the cattle-roads that radiate from the homestead are often shaded with Jaman or Jamoa trees (fruit producing species of the myrtle family) and fenced with natural hedges of tamarisk, the thorny caper, and a host of flowering shrubs for which the English names remain to be invented.

The ground where moist or shaded is carpeted with the perennial creeping grass, † and in spring is decked with flowers, some of which recall the English hedge rows

In February and March the water courses and corn fields abound with catch-fly, vetches, pimpernel and other pretty

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\* The present Naib Tehsildar of Panipat, representing the hereditary Qanungoes of that tract, is the first of his family who has tasted water from the wells of the village of Urlana, the Rajputs of Urlana having murdered his ancestor. The Emperor bestowed a village on the Qanungoes "as compensation."

† (*Cynodon Dactylon Pers* ; in vernacular Dubh, or Dubra.)

and familiar waifs, and even the grasses number one or two exceptions to the alien habit of their tribe in southern latitudes.

The noon-day breeze rustles the branches of the mango-tope, the Persian wheel drones its industrious burden near the traveller's camp, and all the cheery side of rustic India is at hand in the cool season.

From November till the beginning of April, there are few pleasanter spots for life in tents than can be found in the Karnal or Indri Khadir, but the picture for the permanent inhabitants and the district officer as well, has its reverse side.

As the winds begin to veer in May, the water in the creeks and hollows dries, fever and other ills attack the villagers, and the close stifling heat, which the hot blasts from the uplands and the southern desert hardly stir, enervates even accustomed frames, leaving an easy prey to the noxious exhalations that are bred by the floods of autumn.

The rainfall in the Indri-Karnal Khadir is believed in a wet year to exceed forty inches, and the whole bed is intersected with old channels and depressions which receive during the months from July to September sudden, and too often disastrous floods from the Jamna, while throughout the rains they are filled with surface water sufficient to impede and sometimes to endanger traffic.

Even in the winter the Jamna is a very treacherous neighbour, and it annually provides a deal of work for the Revenue staff both by the destruction of crops, and the alteration of landmarks.

Hailstorms parallel to its course are frequent, especially when the spring crop is ripening, and are much dreaded both for their direct results, and because of a certain "sneaping wind," which the farmers say sometimes precedes and always follows them.

The chief spring crops in the Jamna valley are wheat, barley, and *gram*; rape (sarson) linseed, and pease are also grown, and as late crops ripening up to June, melons, onions and tobacco. Carrots are also raised in the Indri Khadir particularly, but this is not considered a dignified form of petite culture, and garden plots generally are regarded as the sign of a grovelling and avaricious disposition. These lofty prejudices, however, are disappearing.

The autumn staples include rice, maize and Jowar (bush millet) and different lesser millets, several kinds of pulse and beans, sesame, and cotton. A kind of autumn rape or colza, known as Toria is largely sown as a late crop for the sake of the oil expressed from its seeds, and its bright yellow flower is a characteristic feature of the tract in which it flourishes.

Sugar is set by layers, chiefly from the topmost segments of the cane, in March, after large expenditure of labour.

on the soil. It is ready for harvesting about December, and cutting and pressing go on up to the end of the cold weather.

"*Chari*," the chief crop directly grown for fodder, is simply the great millet thickly sown to be cut or grazed before maturity.

Gawanr (Cyamopsis) is a leguminous staple, which looks when standing not unlike a field of stunted Windsor beans ; it is grown exclusively for cattle, but the straw is said to be useless.

A very exotic looking crop to the western observer is the safflower (Carthamus ; vernacular Kharar or Kasumbh) which is grown round the borders of wheat and gram fields commonly, for the orange dye furnished by the florets of its thistle-like head.

Indigo is pretty largely raised,—near the town of Panipat for instance,—but chiefly for the seed which is exported.

Rice is of three chief kinds,—munji, and santhi being coarse, and ziri fine sorts respectively. The ziri of the Indri-Khadir had a reputation which the change of canal system has gone far to destroy.

Of fibre plants San (Hibiscus-hemp) and Sani (Crotalaria-hemp) are grown generally in strips alternating with sesame and cotton, or round the field borders of other autumn crops.

The poppy was cultivated in the Indri Paiganna until 1860, when owing to its inclusion in the Karnal district, the prohibition inherited with the Delhi territory was locally extended, to the loss of the great landlords and probably of the cultivators as well.

To the west of the Khadir, in the southern portion of the district, lies a fine expanse of even loamy soil, known as the Bangar, and another Bangar strip lies between the northern Khadir and the watershed.

The ridge itself is often hardly perceptible, but one's approach to this curiously insignificant "divide," is unmistakeably announced by changes in the appearance of the soil and vegetation. The soil assumes a stiff grey surface like the hardest clay, which degenerates in patches often of wide extent, into a gritty hide-bound cake, incapable,—by means as yet within the reach of the local husbandman,—of cultivation. These sterile patches, locally known as "*Kallar*," are commonly impregnated with certain mineral compounds,—chiefly salts of natron. In the Bangar and parts of the Khadir too, similar patches effloresce with a white scum, not unlike hoar-frost, and are known as "*Kallar Shor*," and the disease as "*Reh*." The Reh-poison has produced very learned controversy, and owns a copious if somewhat dreary literature. Happily it shews a tendency to disappear, and there is some hope that improved drainage will

work it out, as is said to be done with the similar precipitate upon the soil in California and Utah.

The Reh pockets lie chiefly along the course of the impoverished streams or silted channels which form the systems known as the Chautang, the Rakisi (Devil's stream) and the Nai Naddi.

These three singular water-courses, though two at least originate as natural streams in the Umbala district, have evidently all been tampered with from time to time by well meaning or ambitious rulers. Indeed, the latest diversions of the Rakisi and the Chautang were due to the Ladwa Sikhs, and to prove the artificial character of the Nai Naddi in its middle course, one has only to ride along the miserable trench which represents what was once, no doubt, a fairly useful project.

A deal of cultivation depends on their precarious supply, especially on the Chautang, the main bed of which runs near the crest of the watershed till it impinges near Salwan on the Hissar branch of the Western Jamna canal, which is popularly said from this point to occupy the ancient bed of the Chautang, or rather of the Drishadwati. The mention of this mythical river leads to the still more famous Saraswati.

The Sarusti,—so the name of the deified river is now pronounced,—enters the present district of Karnal a little east of the town of Pihowa, and after dividing into several intricate branches, and spreading out in the rains in sundry "jhils" or swamps, passes into Patiala territory some twelve miles to the south and west of Kaithal. Near Pihowa the Sarusti receives the flood of the Markanda, another of the so-called hill torrents, or to speak more strictly, their combined waters are impounded against the low western escarpment of the watershed, and in seasons of heavy rainfall, turn the whole country, from Thanesar to near Kaithal, into a series of pestiferous lagoons.

North of these streams again the Ghaggar (in which some prefer to find the Drishadwati) passes through a corner of the district. The use of its water is a fertile source of disputes, with the Patiala villages especially.

The whole of this torrent-ridden tract is known as the Naili, and its reclamation is a task to which the local authorities have again lately been urged by the Government of the province.

The country lying between the Naili on the north and west and the Bangar, or light uplands to the south and east respectively,—the slopes in fact of the low watershed,—form the heart of the Kulchattar, or Kurukshetr, the Indian "field of Troy" scene of the Mahabharat legend, and still one of the most sacred spots of earth for modern Brahminists.

These stiff loam circles of the Kaithal and Karnal Tehsils are known to Revenue officers as the Nardak tract.

Mr. Ibbetson notes that Nardak is properly a title of the Kurukhet (or Kauru's acre) and would derive it from Nirdukh, the "painless."

So,\* Huien-Tsiang,

"The two countries engaged in conflict, and the dead bodies were heaped together as sticks, and from that time till now the plains are everywhere covered with their bones. As this relates to a very remote period of time, the bones are very large ones. The constant tradition of the country therefore has called this tract the Field of Happiness."

The Chinese pilgrims, like some modern visitors, came to see things for themselves, and saw them, as a natural result, accordingly. Only in a severely spiritual sense could the most ardent cicerone have described the Nardak then, or now, as a "happy country."

This curious tract presents a stretch of hard upland platforms, alternating with sinuous hollows water-worn, and in favourable seasons, water-filled by drainage from the former.

The upland bits in a moist season have a park-like aspect which has often been remarked, and in March and April when the Dhak scrub (*Butea*) is in blossom, or in the end of the rains when the low bush is festooned and studded with many sorts of flowering gourds, bindweeds, and gaily coloured mallows, the Nardak puts on a very picturesque appearance.

The crops of the Bangar differ from those of the Khadir chiefly in the relative proportion of the staples. Cane, of course, is grown only in irrigated plots, but flourishes in the Panipat Tehsil, where there is abundance of canal water.

In the Nardak, again, culture assumes an altogether different phase. Wheat is confined to the manured lands close to the village site, and watered at a heavy cost in stock and labour from the ring of wells that skirt the homestead, or by lift from tanks. For three or four seasons, moreover, there may not be enough water to raise spring crops at all, and the local husbandry always depend on the autumn crop mainly. Jowar and cotton are raised on the home fields and outlying patches, commanded by deep wells and reservoirs, but the staff of Nardak farming is the coarse rice thrown broadcast in the hollows after seasonable rains, the mud being trampled first by droves of buffaloes.

If copious rain falls in September, the rice is followed by a crop of gram, or cereals mixed with gram; but the mainstay of the Nardak, as regards its crops, lies in the rice, and when that fails—as has been the case on an average once at least in every dozen years—a dearth follows. Tillage alone would not support the population, which draws such wealth as it can boast from the

\* Beal, vol. I. page 186.

immense herds of buffaloes and neat cattle which its unrivalled pasture grounds support.

The normal rainfall of this grazing belt is less, perhaps, than 18 inches in the agricultural year (from June to May) and if, as has occasionally happened, not a drop of rain should fall from August of one year to July of the next, the grazing fails. If the rice and grazing fail together, or in successive years, then there is every risk of famine.

For nearly thirty years no general famine has visited the district, but from 1875 to 1877 the Nardak suffered most severely. A painfully impressive summary of the famine history of the district may be read at pages 23 to 25 of the District Gazetteer.

In 1886 there was no autumn rain, and when I rode in the last week of the following May through the south-west corner of the Kaithal Sub-Collectorate, where the wells are often a hundred and fifty feet in depth, I found a barren waste extending from the narrow strip edging the canal to the neighbourhood of Kaithal. A little muddy water lay in pools at the bottom of the deeper reservoirs; many of the wells had given out; the menials were deserting the villages, and the people had to fetch their drinking water in earthen pots from places sometimes four miles or more away. Troops of women and children might be met in the evening bringing jars full of the caper berry and the fruit of the *Salvadora* (pilu) for the subsistence of the household. For miles there was literally not a leaf of green to break the scorched expanse; and vegetable life seemed tied to the bare twigs of the *kair* (caper) and the ashen clumps of the "Ban" (*Salvadora*).

In the first week of July the rains burst with unusual force, and the danger for the time was over. The harvests have been more propitious since, but the agricultural condition of the whole district, except the irrigated parts of the Karnal and Panipat Tehsils, is precarious to a degree to which few parallels happily remain in North-Western India.

The Dehli-Kalka Railway now under construction, and the newly begun Sirsa Canal, which will traverse the heart of the Nardak and is expected to command the Rajaund circle, the state of which at a pinch I have just exemplified, should help to render the central portions less terribly insecure against the insidious approach of scarcity.

The cause of this insecurity does not lie solely in the situation of the tract on the very edge of the tropical rain belt, nor yet in the unyielding nature of the soil in the Nardak country. The subterranean water level shelves from north-east to south-west very steeply, and recedes precisely as the atmospheric supply diminishes.

In the Jamna valley the wells are seldom over 30 feet in depth, and where percolation from the old or new canal affects the water-table, a supply is available at 17 or 18 feet or even less from the soil surface.

In the Kaithal Tehsil, on the other hand, the spring level shelves from 18 feet in the north-west corner, through 70 feet in the Bangar, to over 150 in the southern border.

The Kaithal Bangar is a fringe of light and even sandy loam which skirts the Nardak pasture lands on the west, as the Karnal Bangar bounds them on the east.

The people who inhabit the district are hardly less diversified than its soil and climate. The Nardak is the home of Rajput clans, allied to the tribesmen of the North-West-Provinces and Rajputana : while the Bangar is largely held by strong communities of Jāts who have pushed their way, some in comparatively recent times, from older colonies of their nation in the tract from Dehli to Hissar, and the districts on the Lower Satlej.

The oldest settled denizens of the Khadir, except perhaps the curious race of Maghs, are probably the Tagās—a class of Brahman graziers and husbandman,—who in some respects recall the Gaddis of the \* Chamba Himalaya.

The sun-worshipping Tagas of the Panipat and Karnal alluvial strip are replaced northwards by a stock of Muslim Gadis, and there are Gadi villages in the Pihowa country also. I think the Taga and the Gadi may have had a common origin. The Tāgus, also claiming to be Brahmans, are a sept, or rather guild of hereditary pilferers, who wander from Hardwar to Sakhi Sarwar beyond the Indus, "lifting" cooking pots and clothes at bathing fairs and such assemblies.

These call themselves invariably Tagās in their homes, which lie in a cluster of villages near the Grand Trunk Road north of Karnal, but the sacred thread has not protected them from registration as a criminal tribe.

Of sacerdotal Brahmans, who very properly repudiate the Tāgu and his works, there is no lack, both of the Gaur and Sarsut subdivisions, but every ritual Brahman to the south and east of the Chautang proclaims himself a Gaur.

Pihowa is a Brahman town into which the offerings of the devout are poured to the estimated value of hundreds of thousands of rupees annually. The whole of Northern India is parcelled out among the leading priestly families, some of which have paid accountants to compile their registers of clients; but the less said, perhaps, of the way their income is popularly said to be spent, the better.

A yearly fair is held, and to this, pious Hindus from great

\* Hunter's Orissa, vol. I, pp 243-46.

distances,—mostly new-made widows,—flock to bathe in the Saisuti which flows through the middle of the town.

The Bias, Acharaj, and other “impure” castes of Brahmins, and the devil priests, or Dakauts, have been described by Mr. Ibbetson, to whose pages the reader must be referred for particulars regarding these, and many other interesting details of the local folklore and ethnology.

The Bhats, or heralds, also rank as Brahmins in a way, but have sunk in the social scale, where Muslemized under the style of Mirasis. Mirasis are again hardly separated from the Doms. The Mirasi is a perfect Autolytus at weddings and other functions among the Jâts, and again at the “solid funerals” in which the Rajput takes his pleasure sadly, as becomes a gentleman.

One often meets him on a raw-boned steed, its tail dyed in the fashion to a hair, and a pair of kettle-drums strapped across its withers, while the tails of a new pink turban, the fresh spoil of some magnanimous client, stream in the March breeze for yards behind the bard and genealogist. These “beggars on horseback” absorb a most inordinate share of the farmer’s gains, and help him, if recklessly disposed, in a variety of ways along the road proverbially open to the *nouveau riche* in all societies.

They reap their richest harvest from the Jâts for reasons which the pages of “Rambles and Recollections”\* can explain. Two generations back the lords of Dig and Bhartpur were barely recognized as even yeomen; but seventy years of peace and comparative plenty have trebled the demand for pedigrees as well as other luxuries.

The Jât of the Panipat Bangar still bears a strong family resemblance to those doughty plunderers, and his pugnacious instinct and hastiness when the blood is up, in cudgel play, lead to many affrays and even man-slaughters. In the south-west corner of Kaithal, a group of Jât villages, taken over by exchange from Jhind are famous for their turbulent behaviour. A certain Jât from one of these lately defied the whole brotherhood from his own village to the neighbourhood of Rohtak to prevent his carrying out a wedding which a grand committee of elders had condemned, and was much aggrieved because the District Superintendent would not let him have an escort of Police on payment, for a triumphant progress through the villages of his dearest enemies in the heart of Jhind.

A leading Chaudhri, however, gravely informed me the other day, that all this pride would have an early fall, because the

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\* By the late General Sleeman.



guardians of the tribal morals had taken steps to "sue the father of the bridegroom before the Rohtak Judge for bigamy."

A heap of matters of this color, that would have ended forty years ago in bloodshed, are now fought out in the Courts of law, to the advantage of the public peace, but with too often ruinous results to the litigating champions.

Law suits, and seclusion of their women, as communities or individual families advance in means, indulgence too at times in fashionable vices, threaten to sap a class that is, in some respect, the best among the rural population.

The Jât is a born farmer; but he makes an excellent soldier too, and many used to enlist, especially in Murray's Horse (the XIV Bengal Cavalry.)

The Jât women still enjoy more freedom than those of any other classes, and wield much influence in their homes and villages. In the Kaithal tract the widow of a village headman often claims his office, and such appointments continued to be made until quite recently.

The Rajputs are, perhaps, the most ancient settlers after the Tagas, but the clans which now predominate in the district have taken the place of older septs, such as the Pandirs, representatives perhaps of the mythical Pandus—the Tunwars, (Tomaras), kindred of Pirthi Raja and his predecessors on the throne of Dehli, and the Bargujars, more ancient possibly than either. A few Bargujars linger in Indri, and tradition bears that they originally held Kaithal, Guhla and Siana (near Pihowa).

The Junwars still survive in Gumthalla and other Kaithal villages, but the oldest families are in Panipat, headed by their chaudhri, Ryasat Ali, the energetic president of the Local Board.

Of the Pandirs only their name survives in the town of Pundri, and their ancient capital of Pundrak near Karnal. They were driven out, so says the Chauhan legend, by the Chauhans, who came from the country near Moradabad (east of Jumna) some five centuries ago, and overran the land as far as the grazing grounds of Hariana (Hissar) and the wastes of Eastern Rajputana.

They are mostly Muslims now, but it is not uncommon to find two Pattis (wards) in the same village, one of the ancestral creed, the other Musalman, and often becoming attached to the strict reforming movement which has made of late years great strides in the Eastern Panjab.

The Chauhan is the typical Rangar (man-at-arms) of the debateable land. The "Ran," or battle field of the Nardak is his chosen home, where he can dream away the time beside

his browsing herd, till an opportunity occurs for giving or resenting quarrel on some straw of rustic sentiment. He is brave to a fault, proud, and on principle lazy, faithful to his tribesmen and his salt, and bitterly jealous of intrusion within the pale of his particular community ; yet he often falls a helpless prey to the first rogue who finds a chance to play upon his weaknesses.

Until quite recently no Chauhan would touch the plough, and cultivators of inferior rank have found their way into many of the finest villages, first as tenants or even labourers, then as purchasers of the proprietary right which the ancient lords of the mark looked on for the most as a distasteful burden. Now-a-days they are awaking to their irretrievable mistake, and admit their folly with a frankness which is one of the chief redeeming points in a very chequered character. There are many patient and industrious husbandmen now among the Chauhans, but they are greatly handicapped by the rigid seclusion of their women.

The Chanhans estates lie chiefly in a belt stretching from the borders of Jhind along the course of the Chautang, almost to the Jamna bank in the Indri Parganna.

The Mandahirs, the next in importance of the Rangar clans, hold the strip to the south and east of the Chauhans, and have also villages to the north in the Kaithal country. They appear to have come from the west originally. They are even more generally Muslimized than the Chauhans, and their views regarding property in cattle, to put the case politely, even more archaic. If possession of a buffalo be nine points of the law, eight parts of the property may be looked on as clean gone if that buffalo happens to stray across the boundary of a Rangar village. By Nardak law the right to cattle turns on the

Good old rule the simple plan  
That he should take that has the might  
And he should keep who can,

and a waif or stray will only be restored on a proper embassy from the community which claims the beast, after due formalities, and the payment or promise of consideration to the finder.

Not long ago the Mandahirs of a village near Karnal presented to me "their grandfather," said to be a hundred years of age, and the owner of a valuable mare that had been privately impounded by a neighbouring village, on the paltry excuse that she had eaten sundry roods of wheat in the course of a morning ramble. All tribal forms had been duly urged in vain, and as a last resort, the station house officer invoked, but the impounders were obdurate, and the mare was now far away in the Frozepore district.

On inquiry from the tribal headman (Zaildar) it was explained that the account was held by competent judges to be two bullocks and a buffalo calf against the claimant's village, and that the venerable age of the complainant was a complication in itself, because, in a rather stormy youth, he had run up sundry personal scores, the wiping out of which in these less adventurous times was hardly feasible.

The work of the Police, as may be easily supposed in a pastoral district under such conditions, is no sinecure in itself, and does not make at all an impressive show on paper.

A complete sketch of the rural population cannot here be attempted. Rors, Maḷis, Kambohs are among the most industrious; the Rors are perhaps the leading rural class of the future; they are usually well off, and sometimes even wealthy. These are all nominally Hindus. Rains are Muslim-Maḷis. Their hamlets surround the towns where they anciently plied the trades of market gardener, seedsman, and green-grocer, to which they have now added farming both as tenants and proprietors. They are thrifty and skilful cultivators, and at Panipat the herb-growing industry, probably introduced by the Arabs, is in their hands. The chief herb staples are Kalaunji (*Nigella* a Syrian product) and camomile (*Babuna*). One of their chief men in Karnal is a headman of the town, a Doctor (by acclamation) of the law of Islam (Maulvi) a Municipal Committee-man and a keen advocate of vaccination and other modern lights. The Rains are very commonly puritans (Ahl-i-Hadis) by profession.

Gujars, originally herdsmen and clients of the Tunwars, abound in the Panipat Khadir, and are found in the Naili tract of Kaithal. There are both Hindu and Muslim Gujars. The Hindu Gujars of Keorak were Rajputs, but came under a social ban, and so used to destroy their infant girls, rather than give them to their fellow Gujars, and special vigilance is still maintained in Keorak and the neighbouring Tunwar settlement of Pharal. Infanticide is also suspected to linger in a Ját village near Guhla.

The subsidiary and menial castes would take a treatise in themselves. Water-carriers, carpenters, oil-pressers, potters, barbers, weavers, washermen, skinners and scavengers are generally diffused, and as the labour market opens, their attitude is an increasing source of anxiety, not to say complaint on the part of the farmers.

The washermen, even in Hindu villages, are nearly always Musalmans. The Panipat weavers make well known but rather high priced blankets. The butchers are a thriving body, daily readier to assert themselves. They deal in flocks and wool, also in hides, and many drive a trade as pedlars in the villages.

It is a saying that a Panipat Qassab will not break his fast till he has turned a penny.

Gadariyas (wandering shepherds) and vagrant ironsmiths, who bring their stock in trade and families in carts from Rajputana in the winter, and ply their craft from village to village, are curious relics of unsettled times. More questionable wanderers are the Naths, Badis, and other gipsies.

The Biloch are a highly criminal tribe, now scattered in villages in the north-west corner of the Kaithal tract. They are house-breakers and work in gangs of five to ten. Taking different disguises they travel by road and rail to distant towns, visiting even Bengal and the Bombay Presidency. The captain of the band passing, like Abdalla in the Arabian Nights, for a merchant, or as a mendicant, marks down the house of some rich banker or official, and having given the others all the clues, decamps. The next dark night his comrades enter the dwelling and carry off the valuables.

Dhanaks (bowmen) and Jogis are very ancient, possibly aboriginal classes: the former were village watchmen once: the latter (who are quite distinct from the sect of Hindu Sadhs) are the priests of the village Lares, and are reckoned as Musalmans. In every Ját village, and in some of other tribes, may be seen a pillar made of masonry or mud which is called "Khera," or "the mound," and is sacred to the genius loci.

Near Pihowa these retain the form of the Buddhist Chorten, impressed perhaps by the edict of some zealous Emperor. Another aboriginal race are the Maghs of whom a few survive in the Indri Khadir. They are looked on as "uncanny"

Among the agricultural classes are reckoned sundry colonies of Sheikhs, Syads, and Pathans, also the petty Sikh Jagirdars (assignees of land revenue), mostly JátS from the Manjha, (the tract that is about Amritsar and Lahore), who abound in the Indri Pargana.

The Chief Syad colony is at Barsat on the Jamna bank to the north of Panipat, but there are other settlements, of which those of Guhla and Siana in the Pihowa country have perhaps the most singular history, being descendants of Carmathian Sheikhs expelled from Persia by an orthodox Caliph.

Barsat was the scene, under the Tughlak kings, of a tragic episode: one of the Syads having shot the king's nephew on the royal road near Panipat, all his kindred were collected in a house, which is pointed out to this day in the village, and massacred in cold blood by a detachment of Pathans from Panipat.

The Sheikhs are chiefly found in Panipat, where there are two great sections, the Ansar, and the Muhajarin or Makhdum

**Zadas.** The Ansar are genuine Arabs, and have furnished several distinguished men to the roll of Indian history. Their present head is the Nawab Fazl Ahmad Khan, president of the Municipal Committee of the town. The Makhdum Zadas are sprung from Seikh Jalaluddin (\* Kabir-ul-aulia, *i.e.*, the "Grand Master"), whose shrine is one of the precious things in Muslim and in antiquarian eyes of the district. These furnished Qazis to the neighbouring tract in former times, and still are often found in public employment.

Panipat is also the seat of a colony claiming descent from the royal sept of Lodi. There are Pathans in Kaithal too, and in Panipat, Karnal, and Kunjpura are other families of Afghan origin, in which Pashtu was until quite lately spoken, fragments, doubtless, of the Persian and Abdali armies. The Pathans of Bassi Akbarpur in the Karnal Khadir will be mentioned later.

The Kunjpura Afghans still follow the profession of arms, enlisting mostly in the 5th and 6th Bengal Cavalry. \*

The Nawab of Kunjpura is the head of the Rohilla element. In Imperial Deeds his ancestors are described as Kakars (of the Sind border,) but the actual founder of the house, and first ruling Nawab seems to have come from Gurgusht in Chach-Hazara, north of Rawalpindi, and the legend bears that he began his fortunes through guiding Nadir Shah by a secret ford of the Jamna to fall upon the rear of the Imperial army.

My ward, Nawab Ibrahim Ali Khan, is being fitted for a somewhat different though not, it may be hoped, less useful and distinguished part, at the Aitchison College. His Jagir income is Rs. 30 558 a year, and the tenant roll stands at Rs 17,153. The rents, when the Court of Wards assumed its charge, were almost all levied in kind, a system dear to the local gentry, but ruinous to their interests and often to the tenants as well. Now all have been converted into money terms, fortunately without a single suit, and the old regime is perhaps regretted only by the middlemen and hangers-on who thrive by fleecing, with the help of appraisements, weighments, collections, actions and excutions for arrears, both their masters and the farmers.

The next in precedence of the district aristocracy are cousins of the defunct Kaithal family, the Bhais, namely of Arnauli and Sidhuwal, who own extensive grants of revenue, and also proprietary rights in the north-west of the Kaithal Tehsil. Bhais Jasmer Singh and Anokh Singh are Honorary Magistrates within the limits of their jagirs. Other Sikh notables are the Sirdars of Shamgarh, Sikri and Guda, and a host of minor Jagirdars in the Indri Pargana.

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\* Or Kahi-ul-aulia.

The assigned revenue of the district totals Rs. 1,95,000 per annum, and as the bulk of this is collected for the grantees by the State machinery, and the lesser Sikh assignments are still divided on the original "horseman's shares" derived from the muster-rolls of the Khalsa "Misls," the distribution and succession work thrown on the Collector's office may be imagined.

The best known of the Karnal Jagirs, however, is the notorious Mandal grant, which when originally fixed in 1806, amounted to the making over hand and foot of the husbandmen of the Karnal Parganna to a band of Condottieri, originally Muslim Jâts from the Samana country whose room the authorities of Meerut and Saharanpur appear decidedly to have preferred to their company.

The leading Mandals nevertheless, the titular Nawab Azmat Ali Khan and his half brothers, whose lawsuit with the head of the house, decided in their favour by the Privy Council in 1881, is a cause célèbre, have succeeded in retaining great estates in the Meerut and Moraffarnagar districts of the N. W. P.

An active member of the family is Shamsheer Ali Khan, president of the Local Board of Karnal, and also Chairman of of the Municipal Committee of the town.

The town lands of Panipat are among the local benefices, revenue to the extent of Rs. 25,000 being released in perpetuity annually to the Arab, Sheikh, Pathan, and Tunwar owners; and the chief shrines of the city have independent grants in neighbouring villages.

At every turn, indeed, the local revenue officer encounters monuments of the picty or profusion of successive dynasties, often only made to-day to be swept away to-morrow, but scrupulously maintained and even restored by the conservative power that has taken up the tangled threads of past confusion.

These liberal drafts upon the public purse have hardly, as a rule, been turned to the best account by the beneficiaries. The Jagirdars are usually milch cows for enterprising usurers, and the debts of certain cadet branches of the Mandal house are on a scale which it would hardly be amiss to call magnificent. The worst of a state of things, which in its local colouring sometimes recalls the scenes and situations made familiar for another country by the pen of Lever, is that it has reacted in a mischievous degree on the farmers and the peasantry, especially of the Nardak, where a great portion of the Mandal belongings lie.

In the Kunjpura villages, too, the Chauhan cultivators, who were given a title to the soil, became exceedingly depressed, and in either tract reductions of revenue and rents have followed at repeated intervals.

The settlements effected by Messrs. Ibbetson (1883), and Douie (1888), it may be hoped have turned the tide, but if so much of this imperfect sketch is engrossed by what is likely to be soon forgotten history, it is because the district may be said, without a paradox, to have only just begun to have a present.

If India as a whole has been pictured as a land of regrets, the eastern Panjab might be called a burying ground of bitter reminiscences. The Karnal district in particular, though a treasure house for the antiquarian or naturalist, has been very little in touch with busy modern interests. Even as a field for sport,—and here its fame needs no addition,—it owes its excellence in the past, to wastes uncoupled by misgovernment or centuries of war, and to the swamps and reed beds fostered by the old canal, a much abused but long-lived institution, which would take an essay in itself, to say nothing of the tons of periodical returns and other literary silt for which it has to answer. To literary censors it might plead in extenuation General Strachey's Minute of 1867, or Mr. Ibbetson's graphic description of the evils wrought through the abuse of irrigation by the people.

Tried on its merits, the Western Jamna Canal may have to justify its past, but it boasts at least of a grand achievement in its present. The new main line and its subsidiary branches are silent witnesses, but to those acquainted with the district they are more than eloquent. Moreover, side by side with the high level distribution works, a great system of drainage has been planned and in part completed, of which it is not too much to say that it has changed the soil and climate of whole areas lately drowned or water-logged.

The Bijna and Bazida Jhils still harbour snipe, but their glory is departed. The Churni swamp is doomed, and the fens near Rer were under excellent wheat when I last saw them.

Drainage apart, the district still abounds with certain kinds of game. Quails, sand-grouse, plover, pigeons, (blue, and green) and the grey partridge are common. Black partridges collect in certain spots in certain years, and a few are always found in most localities. Of water birds several sort of geese and ducks are plentiful in parts, and cranes abound. I have never seen the great bustard, but the "florican" is said to reach the Kaithal tract.

Hares are common. The antelope is found throughout the district, but is most frequent in the Kaithal tract. Ravine deer are rather few, I think, and possibly are disappearing. Hog deer swarm in certain jungles in the Indri Khadir. The blue bull is frequent in the Nardak scrub, but very shy. Wild pigs are a flagrant pest and often dangerous.

Of \* larger game only leopards are left, and as three of these were killed last year, the supply is perhaps nearly exhausted. One was a large male, who haunted the old cantonment jungle in 1885, and was said to live exclusively on pigs and donkeys. He appeared this spring near Indri where the bul-rushes of a disused canal cut gave him shelter, and mauled a party of gipsies whose dogs disturbed him, killing one man and seriously wounding another. He was ignominiously done to death at last by a gang of Naths who banded to revenge the death of their tribesman. This leopard pretty certainly had strayed from the Nahan forests.

Many lives are taken annually by snakes, and a few by crocodiles. The District Board paid Rs. 5,152 in rewards for cobras and karaits last year; also Rs. 210 for jackals which are very mischievous to crops,—especially to cane and maize. Deaths from the bite of mad jackals occur with painful frequency. Wolves are comparatively few.

Arms are lent from the district lumber-room for the destruction of noxious beasts and the protection of crops, but the difficulty is to get the villagers to utilize their licenses. The Hindu Rajputs and the Jāts will hardly use a gun except under compulsion, and even Musalman farmers usually take out the license in the name of a Faqir or other village menial. The greatest agricultural plague of all,—greater even than pigs or antelopes perhaps,—is that of monkeys, and these the district officer cannot well proclaim for obvious reasons, though the cultus, in the villages at least, is certainly decaying.

Fish are plentiful, but the revenue, public or private, derived from fisheries, is trifling. Pages might be written on the birds and insects of the tract, also the trees and grasses, to say nothing of flowering shrubs and herbs of use or interest. The † Pipal is indigenous in the Nardak waste, and the same region is the home of a wild cotton which seems to be the same as that previously found in Rajputana by my friend Mr. Duthie.

The grass flora of Karnal is rich and varied; the ‡ Anjan (or Dhāman) grasses being perhaps the finest kinds for hay at least: and the local capabilities for horse-breeding and cattle rearing are exceptional. The Government is acquiring the old cantonment lands for a grass farm and nursery for remounts, and a great impetus to local breeding is expected.

\* Lions were found up to 1821, and tigers up to 1827.

† Dr. King, (Fl. Br India Pt. XV, p 513 under *F. religiosa* L.) refers, no doubt, to the range of public collections.

‡ Species of *Cenchrus* and *Pennisetum*.



General Parrott, as every lover of the horse in India knows, had shewn the way in this direction, and his home farm, which with some concessions from the State, he carried on from the breaking up of the Government stud in 1876, should, for those interested in the resources of the country, need no fresh description.

The District Board has built stables for two Government sires at Panipat and is building others, and the Kunjpura estate has bought an Arab sire for local use, selected by Mr. Hallen's kindness through the department, so that in time horse breeding will resume the place, it may be hoped, which it traditionally held when Akbar settled certain Afghan breeders at Bassi, since called Akbarpur, in the Karnal Kadir.

Formerly horses were bred at Keorak and elsewhere, notably by the Gujars, who are still the great promoters of this vital industry. A horse fair, with an agricultural show combined, was started in 1887.

The sphere of this rough outline of an "unimportant district" has been monotonously bucolic, but the tract is so preponderantly agricultural, that there is really little to describe in the district of to-day, beyond the people and its products. The ways and customs of the rustic folk provide a fund of interest in themselves, but it is not given to all of us to glean, even in this tempting field, after the harvest garnered in the pages of the Settlement Report of the Panipat Tehsil and Karnal Pargana.

Trade and traders exist, but beyond the typical banking and shopkeeping pursuits, there is little market. Kaithal manufactures saltpetre, but the industry is much decayed, the Salt Rules having led the capitalists, so at least they state, to shift their works to the neighbouring Patiala territory. Sal ammoniac, too, is made in different places, notably in Gumbhala, a large village near Pihowa. Panipat has glass works, chiefly devoted to turning out the mirror glass, spangles of which are let into the embroidered cloaks and petticoats of the country housewives. The brassware of the same town is excellent and famous, and its silversmiths make little hollow beads ("pearls") which are much admired for shape and finish.

The Purbia colony in the old cantonment Sadar Bazar at Karnal consists largely of Mochis whose leather work is justly in demand. Many of these are well-to-do and receive heavy contracts for boots, saddlery and other equipment from regiments and the Police.

The imports into the district are mainly cloth and goods of a like class from Dehli. Of exports, cotton, gram and oilseeds bulk the most. Of late years a great demand has sprung up for seeds—rapeseed especially, from Dehli and even Bombay,

and buyers came at the harvest of 1888 to the farmers' very doors from distant markets.

Karnal stands fifth among the gram producing districts of the province.

Cotton "goes to press" at Dehli or Ambala. The local cane is universally crushed by mills of the Beheea pattern. At first the mills were hired out by speculative Banias, but now in the stronger Jât and Ror villages, every "Lana" or cultivating partnership keeps a mill of its own, the initial cost being borne by the head proprietor who gets an extra share, on the same principle as the contributor of ox-power.

An extensive through traffic holds across the district from the "Jangal Des" to certain ancient marts in the Meerut and adjoining districts. The Panjab camel-men and carters bring down gram, and take back gur and cloth in return.

Excepting isolated patches there is only one metalled high-way, the Grand Trunk Road (Dehli-Umbala) in the district. The hard Nardak soil makes an excellent road, except after heavy rains, when traffic even between adjacent villages is suspended.

There are three municipal towns, viz :—

Town.	Population in 1881.	Class of Municipal Committee.
Karnal ...	23,133	2nd class
Panipat ...	26,572	Do.
Kaithal ...	14,754	Do.

Panipat, of course, is mainly Musalman ; in Karnal and Kaithal the Hindus are predominant.

Kaithal is a picturesque and interesting place. The district rest-house was built as a reception palace by Bhai Ude Singh, who also made the pretty but uncomfortable house at Pihowa. The Kaithal façade mounts to four stories, and from the highest one commands a striking view across the sacred lake of Bid Kidar, fed from the Sarusti, of the ruined fort and lofty buildings of the palace and the cluster of shrines and temples opposite. The house and town are reached by a tasteful bridge over the Bid Kidar aqueduct. and the whole surroundings are quaint and old-world.

The Brahmans of Kaithal and Pihowa have been spoken of before. In Kaithal, Khatries and Banias are evenly divided. In Karnal the mercantile class is composed chiefly of Mahajans.

In Panipat there are no Khatries ; but the Kayaths—who still

monopolize a large proportion of the local loaves and fishes—are strong. Intellectual acuteness among the Kayaths and also the Brahmans, especially of Panipat and Kaithal, stands at a high figure.

The district staff is on the usual lines of an outlying Panjab district. Except the Deputy Commissioner, all the Revenue officers and Magistrates are members of the Provincial Service, usually Indians. The Deputy Commissioner is also District Judge, but regular original suits and appeals in Munsiff's cases are taken by a Subordinate Judge specially invested.

A European Police officer and a Civil Surgeon, make up the Civil strength, the Medical officer being also Superintendent of the District Jail. The Military Department is represented by the Remount Officer in charge of the newly constituted rearing farm, whose duties, however, take him to the principal fairs and markets throughout the province.

The Canal officer's head quarters are not in the district : but there is a Sub-Divisional officer of the provincial branch of the P. W. Department at Karnal.

There is a Local Board in each tehsil, and the District Board is composed of Local Board delegates and certain nominated members. The Deputy Commissioner is ex-officio president, but I have seldom had to preside in person at the meetings. The local bodies have a paid Secretary and one Engineer. This statutory element, however, by no means exhausts the scope of Local Government. There are 38 tribal headmen, or Zaildars, who receive pending office, substantial grants from the revenue of a specified estate, usually the village of their residence, and no less than 2,650 village headmen ( " Numberdars ") In some estates there is a headman on an average to every 50 households. This is due in part to the temper of the Jâts who hold tenaciously to the axiom, that " every man is as good as his neighbour and a great deal better too." The total gift to headmen from the district revenue is about Rs. 42,500 per annum.

Of late, however, the tribal and village headmen have had a fair amount to do in return for this liberal expenditure. The Zaildar can be made the district officer's sheet anchor in matters of local progress and improvement. Rural Police and the registration of births and deaths are worked through the village constables who are nominated by the headmen.

The Government revenue, naturally, is derived mainly from the land assessment. Last year's collection from this source came to Rs 6,57,808. Suspensions in bad years are made and specially enjoined where really necessary, and remissions on a great scale have been unhesitatingly applied in view of local circumstances.

Canals contributed in 1888-89, Rs. 20,15,000, which in Karnal is practically an item of land revenue also. The relative importance of other heads of public income may be gathered from the latest figures thus :—

<i>Excise.</i>	<i>Stamps.</i>	<i>Income Tax.</i>
12,458	48,921	over 40,000

The population was returned in 1881 at 622,621. With recent territorial additions it is probably now over 700,000. The people are, as a rule, abstemious, and drinking in the rural parts, if anything, is on the decrease. Recent administrative steps have done something to check the use by townspeople and clerks of "Prime Jamaica Rum" and other poisons pushed by energetic apostles of free trade in alcohol from the the Bombay presidency. I wish I could say the same for smuggling and illicit distillation, also the use of morphia and "pick-me-ups" concocted with the help of Bhang, on which the Government revenue cannot exercise so marked a check.

There are no resident European planters or merchants in the district, the owners of the Skinner's Estate Zemindaries being absentees. Mr. Carleton, of the American Presbyterian Mission, leases a Government estate in the Kaithal Tehsil, where he has done something to improve the local breed of cattle, and set an example in the way of dairy-farming.

There are 5 dispensaries maintained from local funds and 5 middle schools, but education is as yet in a very backward state. Medicine and surgery are better appreciated by the rural population at least.

The S. P. G. Mission at Delhi has a branch at Karnal, and maintains a dispensary primarily for women and children in the town; their organization includes also schools for girls and Zenana visiting—a bridge between English and Indian homes,—which is much and growingly appreciated by all creeds and classes. The ladies of the Mission also supervise, by a special arrangement, the work of the Zenana hospital, started by a district association for the extension of medical relief to women. This association, which includes most of the representative gentlemen of the district, maintains a certificated nurse and otherwise provides, with help from local bodies, for the very pressing objects indicated by its name. Mr. Carleton at Santokh Majra, and Dr. Carleton whose dispensary at Ladwa is on the border, also furnish aid to the sick of the district.

The distribution of quinine in the malarious season is an annual care to the local bodies and to all interested in the welfare of the people. The ravages of fever at times are terrible. In 1884, 1,629 deaths were estimated to have been caused by fever in the town of Karnal alone; and 22,800 in the district as a whole. The condition of the district formed the

subject of a note by Sir Charles Aitchison, in which the thanks of Government were expressed to the Civil Surgeon and the Mission-workers for their efforts in combating the epidemic. Since then improved drainage for the environs of the town and station has been established; one of the worst tanks has been closed, and a new one made in its place by the kind assistance of the Executive Engineer of the Karnal Division of the Western Jamna Canal, and a periodical supply of running water from the canal secured for the chief reservoirs.

The great evil from which the district suffers, since the fighting times at least, may be said to be, in more senses than one, stagnation. We are trying, however, to amend, and the railway no doubt will act as a safe but powerful stimulant.

I have said nothing of the religions of the people. The subject is too intricate and too important for the present treatment. For their morals I would quote from Mr. Ibbetson :—

I have a great liking for the ordinary villager. His life is one of monotonous toil under very depressing circumstances.\* He grumbles much, but only as a farmer is bound to do; and he is marvellously patient, cheery, and contented on the whole. He is often exceedingly intelligent considering his opportunities, he is hospitable in the extreme, and he loves a joke when the point is broad enough for him to see. His wants are easily satisfied”

“I will even say that, according to his standard, he is moral, though his standard is not ours. The villager looks at the end, and not at the means. If he honestly thinks that his friend is in the right in his claim, a respectable man will tell any number of circumstantial lies to produce the same impression on the mind of the Judge. But if he thinks him in the wrong, he will not bear evidence for or against him; he will say that he knows nothing about the matter. And when formally confronted by the whole brotherhood, a villager will rarely persist in a claim which he knows to be false. Of the good faith that governs the mass of the people in their dealings with one another, it would, I believe, be difficult to speak too highly, especially between members of the same community.”

To the well disposed bearing and courtesy, according to their lights, of whole classes of the people, every one who knows them well can witness. The gentry, the substantial yeomen, and many prominent citizens have freely given their influence and resources in the cause of order and the public good on numerous occasions, and in the fiery trial of 1857, the heads both of the Kunjpura and Mandal houses rendered services duly rewarded at the time and still amply remembered.

Loyalty may well be looked for from a district that has suffered so deeply in the past, as keenly to enhance the blessings of present peace and the promise of the future.

J. R. DRUMMOND.

## ART. V.—AN EX-LIEUTENANT-GOVERNOR ON INDIA.\*

**T**HE fact that one of the ablest Lieutenant-Governors that India has ever had, thinks it worth his while to write a book about India, and to correct many errors that prevail in England in connection therewith, is a sign of the times. A sign that the times are out of joint, and that heroic efforts are necessary to put them right. A sign that England's enemies have met with some success: that misrepresentation is making headway, while seditious sentiments are more openly expressed than at any previous period of Indian history.

It behoves those who know something of India and its administration to write and give the public the benefit of their knowledge. If the enemies of England and India are drilling their forces for systematic and repeated attacks on the existing order of things, it is surely necessary that there should be a serried phalanx of defenders, alert against treacherous surprises, and ever ready to combat falsehood and misrepresentation. It seems to us that "India" is an outcome of the times. How can the truth prevail if those who know it sit with their hands lazily folded, and never tell the public what they know? The appearance of this book shows that it is at last coming to be thoroughly recognized, that officials and ex-officials ought to do what they can to stem the tide of misrepresentation, and not let the enemies of India have it all their own way. Officials have all the information and material for writing, and if every official on furlough or on retirement would write but a single article, we should have an instructed public, instead of as at present, one that is either uninstructed or wilfully misinstructed. Sir John Strachey has had a good innings, scoring three figures. If we cannot all score three figures, we can score two, or at least one.

The author points out that the differences between the different countries in India is greater than those between the countries of Europe. Scotland is more like Spain than Bengal is like the Panjab. There are no countries in civilised Europe in which the people differ so much as the Bengali differs from the Sikh. An educated Mahomedan gentleman of Northern India has more in common with Englishmen than with the Bengali graduates of the University of Calcutta.

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\* India : by Sir John Strachey, G. C. S. I. Kegan, Paul, Trench & Co., 1, Paternoster Square, 1888.

The first and most essential thing to learn about India, is that there is no country of India possessing any sort of unity, physical, political, social, or religious; there is no Indian nation, and no people of India. When that *pons asinorum* has been got over, knowledge about Indian matters becomes easier to acquire.

A good portion of Sir John Strachey's book is purposely elementary, because he has written for English readers, and he has recognized the fact that he has to dispel an ignorance, in comparison with which Cimmerian darkness is the sun itself. And this is no rhetorical hyperbole, as the knowledge of even those who are in a manner informed is often confined to Macaulay's Indian essays and the memoir of Mr. Justice Onoool Chunder Mookerjee, supplemented by a few magazine articles by such prejudiced writers as Messrs. Digby, Hyndman and Seymour Keay, the relation of grievances by a few law students and Dadabhai Naoroji, and the outpourings of those who, like Amrita Lal Mookerjee, have been asked if they could not try to "feel very bad" about India, and then write something of a harrowing description. But as the *Calcutta Review* is read principally by Indian readers, we will pass over the chapters which describe the physical features of the country, the constitution of the Government, the army, the public revenues, the foreign trade, taxation, home charges, public works, and education.

In speaking of the administration of justice, the writer refers to the wilderness of enactments and circular orders, and the chaotic state of the law which existed prior to the transfer of the Government from the Company to the Crown:—

"These difficulties were increased by the devotion of the superior Indian Courts of that time to technicalities, which survived long after they had ceased in England to be seriously mischievous. Even in the later years of the East India Company, the Civil Courts often seemed to be intended rather for the performance of certain forms and ceremonies than for the administration of justice."

No wonder that the Government shrank from inflicting such evils on newly acquired Provinces. A simpler form of administration was found to be not only cheaper, but better. Thus arose the distinction between "Regulation" and "Non-Regulation" Provinces. But it is a very common mistake to suppose that in the latter, the administration was conducted in a rough and ready way, in accordance with each officer's notions of equity, unhampered by law. The Government of the Panjab in 1860 really deserved, *quoad* the judicial administration, the name of a Government by law far more than the Government of the North-Western Provinces or of

Bengal. In the former case the laws, though simple, were rational, intelligible, and certain ; in the latter case the system was so chaotic that there was virtually almost no law at all. When the admirable codes of law and procedure were introduced, less change had to be made in the system of administering Criminal and Civil justice in the Non-Regulation than in the Regulation Provinces. The best code, the Penal Code, had been completed by Lord Macaulay, while he was in India, between 1834 and 1838. During the next twenty-two years it was revised from time to time by Lord Macaulay's successors, and especially by Sir Barnes Peacock, the last Chief Justice of the Supreme Court of Calcutta. "The long delay in the enactment of the Penal Code," remarks Sir James Stephen, "had thus the singular, but most beneficial result of reserving a work which had been drawn up by the most distinguished author of the day for a minutely careful revision by a professional lawyer, possessed of as great experience and as much technical knowledge as any man of his time. An ideal code ought to be drawn by a Bacon and settled by a Coke." Sir Henry Maine says of the Indian Codes: "British India is now in possession of a set of codes which approach the highest standard of excellency which this species of legislation has reached. . . In form, intelligibility, and in comprehensiveness, the Indian Codes stand against all competition." Sir James Stephen has pronounced the Indian Penal Code to be "by far the best system of criminal law in the world."

Any account of the administration of justice would be incomplete without a reference to the "Black Act," and Sir John Strachey alludes to the furious opposition with which this measure was received in Calcutta. Up till 1836, European British subjects were under the jurisdiction of the Supreme Courts alone. The Black Act (XI. of 1836) decided that they should be made amenable to the Civil Courts of the Company, and that in this respect no distinctions should be maintained between them and the nations of India. The honor of having insisted upon passing this wise and necessary law is mainly due to Lord Macaulay. The opposition of the Europeans, although to the last degree violent, was virtually confined to Calcutta, and as the number of the English outside the Presidency towns was then comparatively small, the outcry against the Government was less formidable than that of 1883. Lord Macaulay describes in a minute the state of things that then prevailed :—

"Till the passing of Act XI of 1836, an Englishman at Agra or Benares who owed a small debt to a native, who had beaten a native, who had come with a body of bludgeon-men and ploughed up a native's land, if sued by the injured party for damages, was able to drag that party before the Supreme Court of Calcutta,



(a distance perhaps of 1,000 miles), a court which in one most important point—the character of the judges—stands as high as any court can stand, but which in every other respect I believe to be the worst in India, the most dilatory, and the most ruinously expensive. . . . The expenses of litigation in England are so heavy that people sit down quietly under wrongs and submit to losses rather than go to law, and yet the English are the richest people in the world. The people of India are poor, and the expenses of litigation in the Supreme Court are five times as great as expenses of litigation at Westminster. An undefended cause, which might be prosecuted successfully in the Court of King's Bench for about £8, cannot be prosecuted in the Supreme Court under £40. Officers of the court are enabled to accumulate in a few years, out of the substance of ruined suitors, fortunes larger than the oldest and most distinguished servant of the Company can expect to carry home after thirty or forty years of eminent service. I speak of Bengal, where the system is now in full operation. At Madras, the Supreme Court has, I believe, fulfilled its mission. It has done its work. It has beggared every rich native within its jurisdiction, and is inactive for want of somebody to ruin."

And this criticism comes from one who, as an English barrister and lawyer, was prejudiced in favour of the Supreme Court. It is said that the Original Side of the High Court at the present day runs the Supreme Court, in the matter of expense, a very close second.

The author does not touch on the subject of religion at great length. It is doubtful whether any two Hindus taken at random would give the same or even similar definitions of Hinduism. The future religion of India is one of the most interesting problems of the day. The educated males are more and more giving up religious observances to the females. Of course the same tendency is noticeable in European countries, where the number of women who attend places of religious worship far exceeds that of the men; but the causes are very different. In Bengal numbers of the women of the educated classes are coming under the influence of Christianity, or at least Christian influences. The work done by Zenana Missions has often been disparaged, and Missionaries spoken of as a class contemptuously, because here and there a member may not have sufficiently shaken off his worldly instincts. But they do much solid good work, and they are gradually reaching the men through the women. The cry of "Hinduism in danger" and the anti-kine killing agitation have not emanated from the orthodox class; they are rather political than religious movements, started and fostered by those who have lost their own religion and acquired no other. It is these men who know that a nation cannot be a nation worthy of the name, if it is not influenced by religious and moral sanctions, and moral sanctions are ultimately the sanctions of religion. It is these men who ~~thirst~~ <sup>thirst</sup> for something to fill

up a terrible void, and yet do not wish that void to be filled up by Christianity or Islam. Some join the ranks of the Brahmos, and hence it is only natural that Brahmoism should exhibit a tendency to split up into different sects or sub-sects. Others get along without religion until the autumn of their middle age, when they either revert to orthodox customs and observances, or derive solace from a sort of educated religious self-training, consisting chiefly of meditation (dhyan) and the reading of the Veds. An increase of religious feeling among the educated classes will not result in an increase of pure Sivaism or pure Vishnuism. The temples of Srirungum are thronged with Sivaite devotees in certain months of the year; but you may count ten women to one man. As to Vishnuism, the number of male devotees seems to fall away with the spread of education and civilisation. At least thirty women to one man may be seen toiling along the Jagannath Road to Pooree in the month of the Ruth Jattrā. Women in all countries require more religious support and excitement than men, and to this it may be added that a religious pilgrimage to Kasi, Periaḡ, Bindabun, or Purus-tom forms an agreeable change in the monotony of a Hindu widow's life. Railways and better communications may give a temporary impetus to pilgrimages, but at the same time the social and worldly aspects of the festival are probably developed at the expense of the religious. For instance, it is said that the steamers of Messrs Hoare, Miller & Co. have recently attracted more pilgrims to Saugor Island (Gangā Sāgor); but they chiefly consist of those "on pleasure or on business bent." We have on several occasions entered into conversation with the chaprassies or touts sent out by the priests of Benares, the Gywals of Gya, or the Pundas and Pariaris of Pooree. These men have told us that it requires more trouble and persuasion to get pilgrims (*jattris*) than heretofore, and that the latter do not so readily disgorge their rupees as they used to. These touts may be seen wandering about the villages in almost every District of Bengal. There is little or no "poaching" in the case of well-established clients, Purohits handing on their jujmans to their sons or successors: but there is competition for new clients. There are certainly some unmistakable signs that religious enthusiasm (where not fanned, as in up-country towns, by rivalry with Islam) is on the wane. Some years ago the Car of Jagannath at Pooree used to be pulled to the Garden House of the god by pilgrims with the utmost enthusiasm; and also back again on the day of the *Uta Ruth*, nine days afterwards. But year by year this enthusiasm waned, and the rank and file of the Bengal Police had to be requisitioned to bring up

laggards to the ropes and make them pull. Some years ago, it forcibly struck the Government, that the constabulary of a Christian Government were performing a somewhat extraordinary and anomalous duty in compelling pilgrims to perform their religious duties; and orders went forth that the police must in future confine themselves to their legitimate duties, the protection of life and property. From that date a sufficient number of pilgrims willing to pull the cars has not been found, and they have had to be pulled by labourers hired for the purpose! Sir Alfred Lyall's definition of Hinduism is as good as any that has ever been given, and the very definition gives point and strength to our assertion, that Hinduism proper must give way to something else. "Hinduism" he says in *Asiatic Studies*, is "a tangled jungle of disorderly superstitions, ghosts, and demons, demi-gods, and deified saints, household gods, tribal gods, local gods, universal gods, with their countless shrines and temples, and the din of their discordant rites—deities, who abhor a fly's death, and these who delight still in human victims."

Our author has an interesting chapter on agriculture and land revenue settlements. The late Sir Henry Maine remarked that the reports of the settlement officers "constitute a whole literature of very great extent and variety, and of the utmost value and instructiveness." "I have now before me," says Sir John Strachey, "one of these settlement Reports, a folio volume of more than four hundred pages. I doubt whether there is any English county of which you could find so minute a description. Physical geography, climate, history, castes, religions, communications, population, commerce, condition of the people, education, agricultural statistics, systems of cultivation, tenures of land, history of past and present settlements, rates of rent and revenue—there is hardly a subject of interest in regard to which the results of long and patient investigation have not been recorded. This is the class of authorities to which we must go if we desire to learn the truth about the condition of the people." And yet these valuable sources of information are pigeon-holed in Secretariat and Collectorate libraries, and never made accessible to the public.

In his account of the civil administration, the writer points out that there is no country in Europe in which judicial and executive officers receive salaries equal to those given in the Native Civil Service of India. The first President of the Court of Cassation in Paris gets only £1,200: a Native High Court Judge in Bengal receives £5,000. In the French Courts of appeal, the salaries of the First Presidents range from £600 to £1,000, and of the other Presidents from £300 to £550; the salaries of Native Subordinate Judges range from

£720 to £1,200. The Judges of the Tribunaux de Première Instance get from £144 to £800; Munsifs (the lowest grade of Judges in Bengal) get from £300 to £480.

The importance of upholding the authority of District officers is forcibly dwelt on. "Where," says the writer, "an absolute Government is administered by a small body of foreigners far more advanced in civilisation than the people of the country itself, the most essential condition of safety to the rulers, and of good Government to the people, is that authority should be strong, and authority cannot be strong unless it is concentrated. In every district of British India the Government has its representative in whom all executive authority centres. It is a deplorable matter that in Bengal, the "microscopic minority" in Bengal are evincing a hostile attitude towards the administration, and are doing their best to weaken the authority and prestige of the District officer."

The Government, if it fails to uphold the authority of its District officers, must at the same time strike at the roots of its own authority. The recent tendency to over-centralization is undermining the foundation on which British rule has been built up. Over-centralisation is produced by lazy, weak, and inefficient officers; but the true remedy is to get rid of such officers, and to replace them by men of ability and industry. In this connection the writer remarks:—

"If the District officer is weak and incapable, authority and law in the district are weak also; if he is strong and competent, they are respected. Every cause which tends to diminish his influence lessens the authority of the Government, whether that cause be shortcomings of his own, or the injudicious action of his superiors. At the same time, it must not be supposed that he has any irresponsible and arbitrary power; all the more important duties are strictly regulated either by law or by rules laid down by the Government, and all his proceedings are subject to supervision, and, when necessary, to correction."

As regards jail administration, the writer remarks: "Every district has its jail, and there are central prisons in convenient situations. There are few countries in Europe where the jails are so well looked after. A great Indian prison is a model of cleanliness and good management." Jail administration in India, carefully supervised by Local Governments, who are again watched by the eagle eye of the Supreme Government, is year by year attaining a greater state of perfection; and it is a fact that a majority of the prisoners, especially those belonging to the thieving castes, enjoy more comfort and more and better food than they do out of jail. Prisoners are given well-cooked food and the best water procurable, carefully filtered. They are periodically weighed, and are immediately given lighter work or relieved of work altogether, if they are

losing weight. They are daily examined by an experienced medical officer, and sent to the jail hospital if unwell. And the tendency is to err on the safe side of sending them too soon rather than too late; for every Superintendent is keenly and personally interested in keeping the death-rate down to the lowest possible limit. It has recently been questioned whether jail life is sufficiently deterrent for the lower castes; for the upper classes there can be no doubt that it is so, and a gentleman accused, who has committed an offence, will spend a great part of his income to get off, or at least to escape a sentence of imprisonment. In England prisoners are given educational instruction; but in India it has been thought that to do so will only make the criminal classes more clever and accomplished criminals. But though secular instruction does not reform, moral and religious instruction may do so, and it might be advisable to introduce instruction of the latter sort into Indian jails. The difficulty of doing so consists in the absence of a Missionary or proselytising element in Indian religions. In England clergymen are only too glad to avail themselves of permission to visit prisoners. It may be doubted whether any Mahomedan Maulvie would care to visit a jail periodically for the purpose of reading a *khutba* (sermon) to the Moslem prisoners. What has been said above as to the Hindu religion will show the difficulty of providing any suitable instruction for Hindu prisoners.

Our author has an instructive chapter on Native States, and though his condemnation is not so sweeping as that of Sir Lepel Griffin, still it throws a flood of light on the real character of the administration in those States. It is shown that our conquests did not absorb nationalities, displace long-seated dynasties, or level ancient nobilities. The rulers and their principal officials are often as much foreigners to the population as the British, while their religion is in many instances different. In the territories of the Nizam of Hyderabad, nearly the whole population is Hindu, but Hindus have no share in the administration; everything is in the hands of Mahomedan foreigners. In the other so-called Mahomedan States, the Hindus form 85 per cent. of the population. The Maharatta dynasties have nothing in common with the people they govern. Their race is different, and their language is not understood. The population of the three Maharatta States (Gwalior, Indore, and Baroda) is about 6,250,000; but, except the rulers and their followers, there are no Maharattas. It is not surprising that there should be mal-administration, over-taxation and gross oppression of the people, seeing that (as Sir John Strachey points out), the only sanction for good administration, namely, the fear of summary annexation, has

passed away. The author speaks of the "insufferable badness" of the administration in Cashmere, and the disgraceful misrule and oppression in that State had arrived at such a pitch, that the Government were recently compelled to take some action, which to many right-thinking persons was too tardy and inadequate. And yet there are to be found persons in England, who pretend to think that the Government of India has oppressed an innocent ruler, adored by his people. These persons are apparently so lost to all sense of sympathy with the masses that they would again ruthlessly consign them to the misery from which the Government of India has made an attempt to rescue them.

The author evinces a righteous indignation when he describes the atrocities in Oudh prior to the annexation. "I find," he says, "only one defect in Lord Dalhousie's most wise and righteous action; he was too merciful to the miserable king and to the demons who had been destroying one of the most populous and fertile countries of India." Similar accounts are given of Baroda, Gwalior, Indore, Bhopal, and Cashmere. As regards Gwalior and Indore, an instructive extract is given from a report of Sir Lepel Griffin, submitted in 1885. In this it is stated that the collection of revenue is made over to rack-renting agents; that the principal officials and nobles sometimes abet dacoity and robbery and share the proceeds; that action is taken against individuals unjustly and in defiance of the commonest principles of justice and equity. "The ruler considers the soil of the State as his own; the people are his slaves; the entire revenue is his private pocket-money, to hoard, lavish or waste, without any right of remonstrance or complaint on the part of his subjects. The disease of such Governments is chronic and intolerable. It is impossible that they can be other than evil, and it is a false and foolish policy to use towards them the language of false compliment, and to pretend that they are other than irretrievably bad, until a higher civilisation and the example of the British Government shall have demonstrated that the rights of princes have no existence apart from the rights of the people."

There are persons who, ignoring the facts, have the hardihood to assert that the Native States are better ruled, and that the people are happier than in British districts; and yet these same persons decry personal rule in British districts and advocate the separation of executive and judicial functions. It would be an insult to the intelligence and knowledge of such persons to suppose that they really believe what they assert. If they do believe it, they are almost as suitable inmates for a lunatic asylum as a man who believes that the moon is made of green cheese. If they do not

believe what they say, but merely make the assertion from political motives and enmity to British rule, they are dishonest and disloyal.

The concluding lecture in the book deals with the Province of Bengal Proper, and in this chapter the author has indulged in some sweeping condemnation of the Bengalees. The reason he singles out the Province of Bengal is to correct the erroneous impression which Englishmen frequently entertain, that "Bengal and Bengalis are types of India and its people, the truth being that there is no Province which is in all respects so exceptional, and no people so curiously distinct."

The author has laboured under the disadvantage of not having served in Bengal, and this fact has led him into a few mistakes, or at any rate, over-statements. Of the general characteristics of the people and the country, he says:—

"Almost the whole population is rural. There are scarcely any manufactures, except of common cloth and other articles which can be made by the ordinary village artisans. Bengal has never, within historical times, been distinguished, as other Indian countries have been, for excellence in art. The native portion of Calcutta, although full of wealth, can hardly be surpassed in mean ugliness; people who are comparatively rich are often content to live in hovels; and among the zamindars and rajas of Bengal, with incomes which even in England would be thought immense, there is hardly one who lives in a house which, in its architecture and decoration, is not detestable. In this respect the modern native city of Bombay is a striking contrast to that of Calcutta."

This condemnation cannot be called unjust, but there are unmistakable signs that the standard of comfort is rising, though very slowly. The Bengalees have not had in the past much opportunity for developing any latent taste for manufacture. Former rulers have preferred to dwell in the Panjab and North-West Provinces, where the air is dry and food more easily digested, and hence that part of the country has been highly developed from the point of view of material advancement. Many sudder stations in Bengal are not towns at all in the proper sense of the word; they are merely groups of rural villages. In some even decent eatables are hardly procurable, much less articles of delicacy, comfort, or luxury. There has not been that foreign demand in Bengal which has proved so great an incentive in other parts of India. Moreover, it seems to us that the Bengali requires an exceptional amount of spur and stimulus, owing to the deadly unhealthiness of the climate, which induces apathy and lassitude. Heat, moisture, damp, vapours, jungle, snakes, flies, insects, mosquitoes—one is compelled to believe that the race must have committed some awful sins in a previous existence to be continually punished with such scourges. The malaria in parts of Bengal is terrible, no one escaping it. If a

European does not get the fever itself, he is affected in other ways by dysentery, rheumatism, and what not, all the result of malarial poisoning. Can a race, living in so pestilential a climate, make any rapid progress towards moral or material greatness? History affords us no such example. Even with imperfect registration, the recorded death-rate from fever only often reaches 25 per thousand per annum, and the true rate is doubtless 35 or 40, the total mortality being over 50. Battles hardly show such a list of slain. The climate of Bengal must be radically improved by sanitary engineering, or at least by ordinary sanitation on a large scale, before its people can acquire that *mens sana in corpore sano*, that physical and mental vigour, which is as much a *sine quâ non* for the advancement of a nation as it is for that of an individual. That educated Bengalees appreciate a good climate is evident from the fact that many now go and live in Calcutta to get the benefit of the improved sanitation. Those who live in other parts of India, may smile at this statement: but it is the sober truth. Bad as Calcutta may be, it is healthy in comparison with most of the sadder stations in Bengal, as any Bengali gentleman will admit.

Our readers may be assured that in the above remarks is to be found at least a partial solution of the extremely slow progress of the people of Bengal towards material advancement. We have daily seen the effects of this terrible malaria; the specimens that come to the dispensaries for treatment cannot be said to live, in the sense that people live in a European climate. They drag out a wretched existence. Children of five years of age may be seen with enormous spleens, sad, dejected, and aged before their time. The blood in old cases becomes so poisoned that sores break out all over the body. The upper classes who feed better, and get medical advice, are not so terribly punished; but even they are attacked to such an extent as often to make their daily work a burden to them. In Bengal the cart has been put before the horse. Sanitation should have preceded education, and had this been so, the education would have had a hundred-fold more fruitful results.

But, considering the inherent obstacles indicated above, Bengal is perhaps making as fair progress in manufactures as can be expected. Some excellent pottery is made in Khulna; the model figures of Kishnagur show considerable skill; glass lamps and tumblers are being manufactured in Backergunj; the gold and silver filagree work of Cuttack, (rather an art than an industry), rivals the Maltese work; the best specimens of Bala-sore brass work might be mistaken for Benares work; some fair knives and scissors are manufactured at Kanchannugger near Burdwan; the manufacture of country cloth is in several places recovering from the depressed state into which it had fallen, the



recovery being attributed to the flimsy nature of the European piece-goods ; and good paper is made at the Bally Paper Mills. The chief manufactures, however, owe their development to European enterprise—tea, coffee, silk, indigo, cinchona, jute, &c. The manufacture of molasses has received an impetus from the sugar-cane mills of Messrs. Thomson and Mylne, and Renwick & Co. ; while slate, copper, coal and iron are being worked by Europeans

Our author damns with very faint praise the results of English education on the morality of the people. "For a Bengali," he remarks, "it is something to talk in grandiloquent English about patriotism and manliness and courage. Even the academic admiration of such things is perhaps a mark of progress." Again : "We may think of troopers from the Panjab riding with Englishmen in a Balaclava charge, of Sikhs and Gurkhas fighting as French and Germans fought at Gravelotte, but is it possible by the wildest stretch of the imagination to suppose such things of Bengalis ? But for the presence of our power, Bengal would inevitably and immediately become the prey of the hardier races of other Indian countries." But the Bengalees themselves can hardly be blamed for this : it is their enfeebling and enervating climate, which is the root of all the evil. Macaulay, in his essay on Lord Clive, writes : "The Castilians have a proverb that in Valencia the earth is water and the men women ; and this description is at least equally applicable to the vast plain of the Lower Ganges." It is the pestilential climate which prevents education producing the same ideas and feelings which it produces in good climates. The head, made dull by a heavy muggy atmosphere, cannot clearly perceive the vast difference between insolence and a gentlemanly independent bearing ; while the mind, injured by repeated attacks of fever, develops all sorts of mistaken notions, as, for instance, that it is not a very reprehensible act to bring a false charge. But we do not blame the race ; rather the rulers should be blamed for not enforcing sanitation, and so improving the climate. The necessity for doing it will be universally admitted directly it is done. Fifty years ago compulsory education would have been thought intolerable oppression. Now Bengalees would welcome such a measure—at least for all but the lower classes. But they shrink from sanitation, although it is even more necessary than education for their healthy mental development. The greatest benefactor of the Bengalees will undoubtedly be the man who, undeterred by clamour, will not shrink from enacting such sanitary legislation, as will remove or minimize the causes of malaria, and so save the people from the plague which now saps their energies, poisons their very vitals, and makes life naught but a "living death."

The author deploras the loss of £5,000,000 a year which has been thrown away by making permanent the settlement of the land revenue. With exceptions so rare as to deserve no consideration, the zemindars take no part in the improvement of the lands and, until a very few years ago, they bore virtually no share of the public burdens. The rental left to the zemindars under the Permanent Settlement after payment of the land revenue, is supposed not to have exceeded £400,000. The gross annual rental is now about £20,000,000, while the land revenue is only £3,800,000. No portion of this increase has been due to the action of the zemindars." When other Indian countries understand that, in consequence of an unwise arrangement entered into in Bengal a century ago, they are compelled to pay every year several millions of taxation which would otherwise have been unnecessary, their demands for justice will be too strong to be disregarded. They do not yet know the truth. In the words of Mr. H. S. Cunningham, "the richest province of India has been, to a large extent, defended, administered, educated, supplied with roads, barracks, hospitals, railways and canals, and relieved in famine,\* at the expense of the rest of the community. Ryots have been toiling in Madras and toiling in the Deccan, in order that gentlemen like the Rajas of Durbhanga and Buidwan may enjoy incomes of several hundred thousand pounds a year, free from the rude contact of the tax collector's hand" It is probable, however, that the incomes of the zemindars may decrease as the ryots become fully aware of the provisions of the Bengal Tenancy Act, unless the decrease be counterbalanced by a general rise in prices. "English education," says Sir John Strachey, "has unfortunately hardly begun to penetrate to the cultivating classes in Bengal, and until lately they have found few champions among their own countrymen. The sympathies and the support of that section of the English-speaking Bengalees which has been able or desirous to make its voice heard, have been for the most part enlisted on the side of the zemindars, and to the detriment of the ryots. The time will come when this will cease to be true—already, I hope, things are better than they were—but hitherto the ryots have had mainly to look to their English rulers for the defence of their interests" In another place the author says: "an unfortunate result of our system of higher education has been the want of sympathy which many of the English-speaking natives, especially in Bengal, show towards the poorer and less instructed classes of their countrymen. The shallow and imperfect education, which is all that they usually obtain, is derived

\* In 1874 nearly £7,000,000 was expended by the Government from the general revenues of India on the relief of famine in Bengal.

entirely from English sources. They learn enough of English habits of thought to enable them to imitate us, sometimes in things that are good, but sometimes in things that it would have been better to avoid. They learn almost nothing about their own country, and seem frequently to care little for their own people. I need hardly say that there are very many honourable exceptions to be made to general statements of this kind." In regard to great social questions the Government has never received advice or assistance from the "much-talking section" of the Bengalees. "You might search the proceedings of their societies, you might examine the files of their newspapers and the reports of their speeches at their public meetings, and you would not find one word of reprobation of the atrocious practices, which, under the cover of immemorial custom, are followed throughout India, or one word of a desire to help our Government to suppress them."

The vials of Sir John Strachey's wrath and righteous indignation are poured forth in no uncertain manner on the devoted head of the "reptile press." "Their newspapers, published in English, are sometimes, so far as their style is concerned, extremely well written, but with honourable exceptions, they are disloyal, foolish, and sometimes shamefully scurrilous." Speaking of the Indian National Congress, he says: "If you look at their voluminous speeches and proceedings, you will not discern the smallest recognition of the terrible problems of which I have given some illustrations, but you will find no lack of sedition and hatred of the British Government thinly veiled under frequent and fulsome expressions of devotion and loyalty. I am far from believing that the majority of these men are really disloyal. They are, for the most part, well meaning men of small education, but with a good knowledge of our language, who have learnt to pour forth the commonplaces of English politics, and who listen with delight to their own eloquence which they half believe to be inspired by feelings akin to those which they have read about in Burke and Macaulay. They easily obtain a hearing from sentimental philanthropists, and from those Englishmen who see nothing good in any political institutions except those of their own peculiar type, and assume that certain abstract principles are always applicable to the Government of all sorts and conditions of men." . . . "There will always be people ready to accept with composure any political folly, provided that it involves some triumph of sentiment over sense, and some appearance of national humiliation."

In an appendix we are given some account of the now notorious 'conversation' and 'catechism.' Even those who are not unfavourable to the Congress movement, do not venture to defend these publications, but admit that they come within the

pale of the criminal law. Sir John Strachey's opinion of them is as follows :—" One of the leaders of the Congress movement—an Englishman—has described these foolish productions as 'loyal and kindly alike in spirit and word' None can know better than their authors that the accusations and insinuations in which they abound are absolutely false ; that the Government of India does not impoverish the country, or spread intemperance among the people, or refuse to consult native opinion in matters connected with the administration ; and that English Magistrates do not strike and ill-use defenceless cultivators. It is impossible to attribute the circulation of such falsehoods to any other motive than a desire to excite hatred of the British Government and its representatives in the minds of the ignorant masses of India, while concealing from people in England the true character of the movement by exaggerated professions of loyalty."

It is certainly a matter for deep regret that the Native Press should not exercise more discrimination in its attacks on European officials ; for if it is proved in one case that an officer has been attacked without cause, all subsequent attacks are naturally regarded with suspicion ; and, if the *mala fides* or malice of the attack be demonstrated in say half a dozen instances, the effect is to create such an attitude of distrust and disbelief on the part of Government and its leading officers, that they are slow to give credence, even where the criticism may perhaps have been deserved or partially deserved. The Native Press would therefore do well in its own interest to test the information it receives before giving it publicity. Of course this advice is only offered to those who desire to do their duty as honest and impartial pressmen ; there are some, unhappily, who are not actuated by such a desire.

A word in conclusion. We believe there are some true native patriots, who would not stoop to demean themselves by ignoble practices, men who really desire the good of their country and the happiness of the people, men who are not possessed by an insensate hatred of everything official or European, men who will work in unison with others (be they European or Indian, official or non-official) who in common with them sincerely desire the advancement of the country and the people in moral and material progress. These men have the power to stem the tide of disloyalty and unreasoning hostility to the rulers of the land ; they can turn into fruitful channels the aspirations of the educated classes ; and we appeal to them to do so. Let the more honourable representatives of the Native Press, by setting an irreproachable example, help to raise the lower grades to their own level. Let it be recognized that the noblest man in the world, be he Christian, Hindu, or Moslem, cannot always

attain perfection. We are none of us infallible, and we can but try to do our duty without fear or favor. Officials, like other persons, must make mistakes, they must sometimes commit errors of judgment ; if they did not, they would not be human. If the Native Press were to attack only the lazy official, the corrupt official, the inefficient official, or the duty-shirking official who truckles for popularity, the administration would be benefited and strengthened. If the Native Press were more uniformly honest, it would have greater power and influence, and would leave more permanent impressions. A single cautious, well-considered, and temperate criticism from an honest editor, who tests his information and verifies his facts, will have more effect, more power for good, more weight with the Government, than a thousand indiscriminate attacks recklessly and often maliciously made on the authority and at the instigation of interested persons. The Press is, or ought to be, as honourable an avocation as any other learned profession. Its honour should be as clear and transparent as the pellucid water of the mountain stream. If it lends itself to the gratification of private spite and malice, and lays itself out to disparage and harass those who will not stoop to purchase its good opinion or at least its neutrality, it then deserves no higher appellation than a sewer journalism, battening and fattening on the garbage of the gutter.

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## ART. VI.—SOME RELICS OF BEJAPUR.

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### THE MALIK-I-MAIDAN, OR LORD OF THE PLAIN.

THE subject which bears this high-sounding name is a large gun, cast about five centuries ago, and is considered to be one of the largest specimens of cannon known in ancient times. It is found lying amid the ruined ramparts of the ancient city of Bejapur in the Southern Maharatta country of Western India. It is perhaps one of the most remarkable specimens of ancient cannon to be found, not only in that ruined city, but in our Eastern Empire. It is a 42-ton gun, cast—not welded—as was usual in those days. When struck it sounds like a bell. Outside its color is dark green, while the atmospheric influences of five centuries have not been able to wear away the polished glass-like surface, in which the visitor views his face as in a mirror. As a weapon of offence its unwieldiness makes it almost useless, but as a specimen of founding it remains unrivalled. The muzzle is wrought into the eyes and nose and open mouth of a monster devouring an elephant, whose hinder parts are disappearing down the throat. The original inscription states it was cast at Ahmednagar, 1549, by Mahomed Kimri, a Turkish Officer. "There is no God but Allah,—and none can bind him," Abulghazi, Nizam, Shah, servant of the race of the Apostle—and of the house of God, 956, A. H.

In the vent is the name of the maker : "Made by Muhammed-bin-Hassan Karim." In 1686 Arungzeb added an inscription—"Shah Alamgia Ghazi. The Asylum of Religion, who granted the claims of the just, took possession of our kingly country and conquered Bejapur. From the date of the conquest good fortune came. He subdued the Master of the field in the year of our exalted reign, 1077 of Hijri." From other historical manuscripts we learn it was brought with infinite labor by 10 elephants, 1,400 oxen and an incredible number of men to Bejapur in 1634. It was mounted on a revolving pivot on a grooved platform, but it has now been dismounted, and rests on a heap of stones. Its value as a piece of ordnance is questionable ; for though the ball must have been very large, owing to the expanded shape of the bore, the range cannot be great. It is stated that, during the siege, a ball from it struck a column of a

tomb, and broke it at a distance of 1,000 yards, but probably it was capable of greater execution. Several pieces of granite shot lie near the gun. In 1829 the gun was loaded with 80lbs. of powder and fired. It will, however, take an iron shot weighing 2,774lbs. or a stone of 1,100 lbs. If these were explosive shells, the damage might be considerable in a populous neighbourhood.

In the seventeenth century the story was current that, when the gun was cast, Ramu Khan slew his own son, and baptized the gun with the blood of his child; the object of this bloody deed was to drive out the evil spirit from the gun. A similar cruel act was done in olden days at the launch of a ship, and our own custom of breaking a bottle of wine over a ship's bows in launching a ship, may have its origin in the same idea. For many years the Hindus of the locality have turned the gun into an object of veneration and worship, and offerings of oil and flowers are often made to it. It has been several times proposed to carry this massive piece of artillery to England, but the difficulty of carrying it to the coast was considered too great. In 1852 a proposal was made to grant £3,000 to carry the gun to the coast, but luckily it was negatived, and is not likely to be carried out in these days of an exhausted exchequer. The Malik still remains one of the most interesting objects of Bejapur.

On some of the other bastions of the city are found other guns of less calibre, but probably of larger range. These weapons of offence and defence now lie silent and dumb amid the vast ruins around them. They have spoken many a time with effect during the many sieges and scenes of bloodshed of which this town was the scene three or four centuries back when Bejapur was in its glory. But they are silent now, and the native children play around these harmless monsters, which were once the terror and defence of the greatest city in Western India.

The *Ibrahim Rosa*, or garden, is situated about half a mile south east of Bejapur. In an enclosed garden are situated the most gorgeous and, even to this day, perfect of royal buildings. They are the mausoleum of Ibrahim Adil Shah II and his family, the mosque attached to it, and the terrace in which both are built. Ibrahim reigned 47 years peacefully, which left him liberty to pursue what was the hereditary taste of his family in architecture, and to have a building erected which has no rival in the Deccan or even in India.

The Rosa was begun as a tomb for his favourite daughter, *Zoatal* Sooltana, who died at 15 years of age, and for his wife, Taj Sooltana, and for Ibrahim himself. All lie buried in the dark recesses of the tomb. The date of the building,

is about 1626, and it took '86 years to complete. By an inscription on the doorway to the following effect, we learn :—"Malik Sandal after great exertion, and the expenditure of one lac and a half, or 900 houris, caused this tomb to be completed to the memory of Taj Sooltana, at whose purity Paradise was astonished." The value of the money spent in this tomb is calculated at £528,150 sterling, but the sum is of greater value if the money of the period be considered. Probably over £1,000,000 would be nearer the mark. Another inscription tells us that 6,533 workmen were employed 36 years eleven months and eleven days in completing the work. There is no traditional tragedy connected with this great building; it may be that the reign of peace and the comparative purity of the lives of those buried there, gave no cause for such scenes as are more or less connected with every notable building in Bejapur.

The Roza still stands perfect as on the day it was built, surrounded indeed by a great howling wilderness of sand, but itself a garden of roses. Silent and lonely, seldom visited, save by the passing stranger, this mighty work of architecture, perhaps the greatest, if not the finest ever raised by Moghul hands, seems indeed to be one of the wonders of the past, and an amazement even in its decay. How much was thought of it by its builders, is gathered from an inscription, which with boastful pride tells us :—

"Heaven stood astonished at the height of the building. When its head arose from the earth, another heaven seemed to be raised. The Garden of Paradise has borrowed its beauty from this garden, and every column in this building is graceful as the cypress tree in the garden of purity. An angel, from heaven told the date of the building in words. The heart-gladdening building is the memorial of the Taj Sooltana." The value of this number is H 1,036, i.e., A D. 1226.

This mighty fane was raised to the memory of a young daughter by a loving father. With the exception of the Taj at Agra, by another Moghul leader, which equals this in richness but not in size, raised as it is to the memory of a wife, the world does not contain so noble a monument to endearing love as the Roza built by Ibrahim Adil Shah, II, to the memory of his daughter, Zoalal Sooltana.

#### *Afzulpur, the city of Afzul Khan.*

A few miles outside the ruins of the great city of Bejapur lies the ruined city of Afzulpur, named after the great Mogul chieftain Afzul Khan, 1659. A curious story belongs to this locality, the only truth for which we find in the family burying place. On a platform, along one side of which was once a large



pond, now however silted up and embowered in mango trees, are a row of tombs, all alike, with the exception of one which is a little raised. There are altogether eleven rows of tombs of seven in each row. The story runs that Afzul Khan volunteered to lead the fatal expedition against Shivaji, the Maharatta leader. The astrologers warned him that he would never return. On the strength of this warning he set his house in order, by drowning his 177 wives in the palace pond, burying their bodies in the pond bank, and adorning their graves with rows of neat tombs. The story may be false; there is no means of tracing or testing the truth. But if we are to believe the traditions of those bloody times, it was quite in accordance with custom. It is also a remarkable witness to the truth of tradition, to find so many tombs of precisely the same age in what were originally the private grounds of the palace of Afzul Khan.

*Mehtar Mahal.*

This Khan is probably one of the most elaborate and beautiful pieces of art work to be found in Bejapur. It owes its creation to the following story which is taken from local tradition. According to the legend, Ibrahim Adil Shah I. was afflicted with virulent leprosy, and received no relief from his physicians, many of whom, on the failure of their remedies, he had cruelly put to death. He resorted to the consolation of his astrologers, and was told by one of them, that if he was to give a large sum of money to the first person he beheld, as he awoke on a certain morning, it would be expended in charity and ensure his recovery. The person who proposed to receive the royal bounty was the astrologer himself. But the King happening to awake too soon, saw only one of the sweepers attached to the palace, and calling him, wrote him an order on the royal treasury, desiring the man to take it himself. The sweeper controlling his terror took it for an order for his own execution,—for such events were common in those days,—hesitated awhile to deliver it. But fatalism, however, suggested that if his end was come, it was useless to try and avoid his destiny, and so delivered the order. His amazement was great at the unexpected nature of the royal gift. There was no resource but to take it, and he determined to fulfil the astrologer's prediction, and found a mosque which should eclipse all others in Bejapur. Perhaps for neatness in art and architecture this Khan beats all the other buildings in this city of palaces and tombs. It also seems to have suffered less by the hand of spoliators than many of the other places. Being constructed all of stone, and most of it carved and deeply set, it has been spared in its original beauty.

*The Jumma Mosque.*

This noble building is the largest and noblest building in Bejapur and the Deccan. It was founded by Adil Shah I. 1580, as a mosque. The only portion at all ornamented is the centre recess and the stone pillar. It is still perfect and bears the following inscription on a large stone :—"Place no reliance on this life, because it is not steadfast, and in this house of inquietude nothing is at rest for any one. Pleasant is the stage of the world, now sparkling in my eye, and happy is the lot of my life, but it is fleeting." No truer commentary upon these verses could be given than is afforded by the building itself, surrounded as it is by a number of small huts which cluster around it, built of mud, stone and clay, which furnish the contrast everywhere at Bejapur between the greatness of the past and the poverty of its present condition. The old velvet carpets and curtains are still retained, but the golden chains which hung from the dome were taken away by Arungzeb, when the city was captured in 1686, and probably formed part of the prize-money of the army.

The Jumma Mosque was one of the great public buildings of Bejapur, and some of the descendants of the ancient servants who served the Moguls, still remain to sweep and clean the building. The Muhamedan population is, however, extremely limited, and where the prayers of assembled thousands were wont once to be offered it is questionable if at any time now one hundred Musulmen can gather together at the great festival of their creed.

*The Story of Bhumba.*

The story of Bhumba, the mistress of Sultan Muhamad, who lies buried in the great Gol Gomuz, and whose body lies next to her lord and master, is perhaps one of the most interesting legends of Bejapur :—

The merry Monarch (like our Henry VIII) was said to be a great admirer of female beauty. Hearing of the famous beauty of Bhumba, a dancing girl at a neighbour's court, he commissioned his principal Minister, Mulik Sondal, to bring the beauty at any cost to his court. Malik Sondal, a wise man, aware that in his absence he ran the risk of being accused of betraying the king, left behind him the proofs of his innocence in written records. On his return with Bhumba, as he had foreseen, he was accused and ordered for immediate execution. He laid his proofs of innocence before the king, who was so struck with the injustice, that he commanded Malik to ask anything he wished and it would be granted him. Malik replied that as he could no longer hope for children, he would like to leave a building which would keep his name from being forgotten. The king agreed to

supply the funds and the Taj was built. It stands close to the Mecca gate, 223 feet square, 52 feet deep, and fronts the roadway with an arch 35 feet span, flanked by two octagonal towers, surmounted with domes, and two wings facing east and west forming a spacious rest-house. A gallery runs round the wall with large rooms still used by travellers. The aqueducts and fountains in every part of Bejapur, most of them now broken down, are amongst the most wonderful pieces of engineering work to be found anywhere.

### *The Gol Gomuz.*

Muhamed Adil Shah was the son and successor of Ibrahim Adil Shah II, 1660. His tomb, a mausoleum in the fort which towers above all the buildings in the fort and suburbs, and fills the eye from every point of view, is seen by the traveller in nearly every direction as Bejapur is approached. This mausoleum denotes the highest point of architecture, for without an extraordinary knowledge and familiarity with not only the theorems but its practice, it is impossible that this great building could have been planned, much less constructed. The building is founded on a rock, and is a vast gloomy crypt, in the chamber of which sleep, beneath plain earthen mounds, the Sooltan Muhamed, his wife and son, daughter and mother, and also his favourite mistress, Bhumba, a dancing girl, who, it is said, refused to the last the royal honour of marriage with the monarch. There is nothing but the bare dusty earth in this crypt, and a few withered garlands lying on the graves, to tell their own tale.

The following is a comparison of the Gol Gomuz, which means, "the round dome," with other buildings of a similar kind :—

		Diameter.	Height.
Gol Gomuz ...	...	135 feet	175 feet
S. Peter's ...	...	137 "	333
S. Maria, Florence . .	..	137 "	275
S. Paul's ...	...	108 "	220
S. Sophia ...	...	107 "	182
Taj Mahal, Agra ...	...	58 "	80

Above the chief doorway hangs an iron chain, to which is attached a large stone, which is said to be a meteoric stone brought from Arabia. In 1879 the chain from which it hung was in a dangerous state, and it was taken down. On examination it was found to be a piece of green quartz, much worn by water and rounded. The people believe this stone guards the tomb from lightning. The dome was once struck, strange to say, on the occasion when, owing to some repairs going on, the stone was removed for examination ; hence, the people argued, by a special bolt, in fulfilment

of a legend they had on the subject. The stone is said to scarce away ordinary lightning. The whispering gallery is 105 feet above the tomb, and every sound, down to a whisper, can be heard throughout the great building. For purposes of intoning and singing, even the separate notes of a piano resound away into the vast depths of the dome, and with a slight echo, come back clear and true, showing that, in addition to the wonderful architecture, the builders took into reckoning the acoustic properties of the building they erected. The Merry Monarch, as he is called, who lies buried in this lofty building, certainly possesses a resting place which has never been equalled in point of size and stateliness.

*The fall of Bejapur.*

In a political sense, Bejapur ceased to exist after its captivity by the Emperor Arungzeb, 1686. It is never again noted in history. The city was occasionally used for durbars. But silently and mournfully the great capital of the Deccan passed to its decay, which was rapid and sure. The soldiers of the broken up States of Golkonda and Bejapur were left to shift for themselves, and plundered the country far and wide. The Deccan fell into disorder. Sumbhajee, son of Shivajee, devastated the west was seized while drunk by a Mogul officer and taken to Arungzeb's camp. The Emperor in a humorous fit offered him life, if he would become a Mahomedan. Tell the Emperor, said the fierce Maharatta chief, "that if he will give me his daughter to wife to-night, he may make a Musalman of me in the morning." The actual words cannot be directly recorded; but no insult could be more stinging in its meaning. Sumbhajee was forthwith blinded with a hot iron, his tongue was cut out, and he was beheaded, cursing and defying his tormentors to the last breath.

In 1795 Mozan-ool-Moolk became Viceroy of the Deccan. Bejapur passed out of the hands of the Peshwa's Government, and during the Maharatta occupation was reduced to ruin. The Maharattas took out all the famous screen work, windows and doors, for which the place was noted almost more than any other city in India. The wooden joists were burnt as fuel, and carried away to supply half the country. A spoliation went on from 1795 to 1818. Never was spoliation more complete. According to local belief it was a judgment of God. When the descendants of Sivaji were released by the English in 1818, and were permitted to establish an old claim in the independence of Sattara, still further spoliation went on. It is to be regretted that this was done, as it was the last straw of spoliation. With renewed vigour and deliberate impunity, palaces and private houses were unroofed for the sake of the noble teakwood beams which

spanned them. The whole of the window frames and their exquisite cornered lattice work balustrades were carted away to Sattara and to any other place where the owner could get orders. There are persons still alive in Bejapur who witnessed this wholesale devastation, with a grief which is now outspoken, and accompanied with many a curse, and tell of it in sorrowful tears. " Could that house stand which was built of stolen wood ? " was an aged guide's dramatic question, as with angry gaze, though trembling gait, he showed the vast ruins of the city whose pride, like Babylon of old, lay humbled in the dust. It had not stood certainly, for the short lived kingdom of Sattara has passed away, and is itself a ruin. Both Bejapur and Sattara belong now to the Queen of England.

As the first act of the royal agis which dominates now over all India, Bejapur has been rescued from the ruin which plundering Rajahs in their eager search for gold or their ruthless revenge have caused. The royal memories are once more enshrined. All the edifices of any note have been placed in complete repair. At a cost of £10,000 restoration was carried on. Most of the buildings have been put to some useful purpose, which will ensure their repair and retard decay. The resident engineer has his home in one of the lofty domed marques, which has been completely restored, and fitted up with every possible comfort, without destroying a particle of the old work. The acting engineer has also superintended the restoration of all the other places, and much credit attaches to his skill and care. Amongst local surroundings for the benefit of the English residents, a lawn tennis ground now stands on what was once the hall of audience. Here, under a noble archway, where assembled thousands were wont to hear the despotic orders of Mogul chiefs, the peaceful games of athletic exercise are followed with zest by the few Englishmen who reside in the town. Another magnificent hall is devoted to badminton, and will easily accommodate half a dozen sets of players. The club is situated in another lofty palace in a building, which for size and loftiness is unequalled by any club in Europe or America.

The English residents, with the sanction of the Bishop of the Diocese, who refused to consecrate an ancient mosque for the purpose, have made one of the ancient gateways into a sanctuary for worship. After restoring its ancient colors and repairing the carvings, with the addition of coloured windows, it has become probably one of the most unique places of worship to be found in the world.

A gang of convict prisoners are always employed in repairing and restoring the ruins of the past, and in keeping the numerous places of interest in a condition fit to be

seen, and not left to the hands of plunderers. But the city that once had a population of 2,000,000 subjects, mostly men at arms, has passed away; only 12,000 natives and 16 Europeans reside in the place now, and these mostly dwell in the palaces and tombs of kings. Bejapur can never again attain eminence as a city. Though recently it has a narrow gauge line of railway running past it, which seems to have raised the sleeping lethargy of its people and their surroundings, it seems, however, to be out of the general line of trade and commerce; population is sparse and poor. It is, in fact, one of the famine districts of India, which has probably been the chief means of reducing both the land and the people. One cannot help but feel its vast loneliness and desertion,—a place to be shunned as all great ruins seem to be. A place which is the haunt of wild beasts, the bat and the owl; and one cannot but be reminded of the Psalmist's word on a forsaken land:—"A fruitful land maketh He barren for the wickedness of them that dwell therein."

Near the Tower of the Two Sisters stand two deodar trees of gigantic girth and size. Tradition says this is the scene of the execution of some great leader who fell by treachery; it is probably the execution ground of the once famous city. The green sward, moistened by the blood of thousands, is said never to wither even in the hottest seasons. As one looks around and sees the vast desolation of this giant city of the past, one feels the influence of its traditions as told by the wild natives whose forefathers were amongst those mighty men who ruled India by the sword, despotism and cruelty. No one says Meadows Taylor, (the man who has done most to revive these stories) has succeeded in awakening at Bejapur an interest such as surrounds the Alhambra. Far grander as its memorials are, the accounts of them are listened to with coldness if not with unbelief. Yet, stand by these beautiful ruins with the glory of an Indian sun lighting town and mosque, prison and mansion, town and rampart, some poet will surely gather the fleeting tradition, and breathe into them classic and undying life. Few are so dull as to pass unmoved through these massive and daintily adorned buildings which belong to an age that is gone. Nor will the stranger, on viewing the miles of ruins, great in their decay, withhold a title which time has conferred upon the city—"The Queen of the Deccan."

SEAMEN'S INSTITUTE,  
PRINCE'S DOCK,

W. ELLISON.

*BOMBAY.*

## ART. VII.—ENGLAND'S COMMERCIAL SUPREMACY.\*

**I** ASSUME at the outset that it would be superfluous to prove by elaborate evidence that, whether we regard England merely as the United Kingdom or in her greater significance as the British Empire, she stands unrivalled as a Commercial power and occupies a foremost position in the transactions of the world. Her supremacy in this respect is never called in question.

It is, however, only since the middle of the 18th century that British Commercial advancement and ascendancy have become conspicuous. Iron, the precious metal of Great Britain, and now one of her main commodities of export, as well as one of her principal sources of wealth, was of but trifling importance and could scarcely be termed a national industry until 1750 when, through the diminution of forests, coal began to take the place of wood in smelting. In 1740 throughout Great Britain there existed only 59 furnaces whose combined production of iron was 17,350 tons, whilst in 1882 production had increased to 8,500,000 tons. Invention after invention enlarged the means of production, and new applications at once followed—and to the development of this industry alone Britain owes much of her Commercial Supremacy.

A hundred years ago British imports of Cotton were about 4 million pounds weight per annum; in 1887 these had increased to 1,745 million pounds—due in large measure to the introduction of machinery and steam power.

In 1800 Britain's consumption of Wool amounted to 97 million pounds weight; in 1880 it was 338 million pounds.

Fifty years ago Britain's outturn of coal approximated 30 million tons per annum, and it now approximates 200 million tons. In these and other important industries Britain has gauged a measure of progress wholly unexampled in the Commercial history of the world.

Amongst other now-existent evidences of pre-eminence, we find that British vessels constitute  $9\frac{1}{2}$  millions tons out of a total nominal tonnage of 22 millions, the United States coming next in order with  $4\frac{1}{4}$  million tons, or considerably less than half the British tonnage. When we regard the portion of the world's trade which is borne across the seas in British vessels,

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\* The above article is the substance of a Paper read to the St. Andrew's Young Men's Association, Calcutta.

our supremacy is still more marked, for whereas 153 million tons of merchandise per annum are carried by the vessels of all nations, no less than 89 million tons, or 58% are carried under the British flag. We find that in 1888, out of 3,441 vessels which passed through the Suez Canal, no fewer than 2,626 were British, representing a tonnage of 4 millions 600 thousand, or 76% of the canal traffic. As a consumer of iron and steel, which are so intimately associated with manufactures, and with almost every important advance in commerce, there is a margin of 25 millions sterling between Great Britain and any other nation. As a market for Cotton the United Kingdom absorbs 407 million pounds weight more than any other country. Of the world's Shipping,  $\frac{2}{3}$  rds are launched from the ship-building yards of the United Kingdom. If we turn to Mining, we find that England and her Colonies produce minerals to the value of 87 millions sterling per annum, or more than one-third the mineral production of the world. And if we take the volume of trade throughout the world, gauged by the Import and Export Returns of all countries, we find that out of an aggregate of 3,000 millions sterling, England alone contributes 690 millions, or 1,140 millions including India and the Colonies. Thus the British Empire controls nearly 40% of the world's trade.

Commercial Supremacy such as these figures betoken can scarcely have been attained save by special conditions of encouragement or by special influences of national superiority, securing for the British Empire some very distinct advantages as compared with the resources of other nations. Much of our commercial progress is undoubtedly allied with the wars of that stormy and unsettled period from 1790 to 1820. Great was the impulse given to British trade by the manifold requirements and distractions of those revolutionary campaigns, which were largely commercial in their aims and issues, for by them was the current of the world's trade diverted towards Britain. At enormous outlay, estimated at £1,250,000,000 sterling, many powers were kept at war with France, and the wants of armies in materials of food, clothing, and ammunition furnished employment for British industrial labour. It was these wars which threw the greater part of European export trade into Britain's hands. It was the distractions of these wars that strengthened England's position by depriving her of rivals on the sea, and thus between Britain and the Eastern and Western worlds there was developed an extensive interchange of commerce. In this connection I quote the following words as those of an able writer on the subject :—

"In 1806 Napoleon's famous Continental system was launched against England, and an era of legislative reprisals ensued between the two countries, in which France suffered most.



"The French Emperor endeavoured to destroy British Commerce by sealing the ports of the entire Continent against English vessels, a measure which was intended to coerce England, but was fraught with ruin to the rest of Europe. His Berlin decree was issued when, in 1806, the French entered the Prussian capital. By it he interdicted all commercial intercourse with Great Britain, declared the British Islands to be in a state of blockade, and seized as prisoners of war all Englishmen found on any part of the Continent, over which he then possessed military jurisdiction.

"England met the Berlin decree by the no less celebrated Orders in Council published in 1807, and lasting until 1814. These reprisals prohibited intercourse with any port occupied by the French, and Napoleon retaliated by the still sterner decrees of Milan which reduced his Continental system to a code. The ports of Europe for several years presented the strange spectacle of not daring to admit English vessels for fear of Napoleon's decrees, and as little daring to let their own vessels leave their moorings for dread of the British cruisers. The mercantile fleet of France was captured and her navy defeated. With an assertion of power which he could no longer enforce, Napoleon required neutrals to carry a French license to trade. England in reply seized the French Colonies, effectively blockaded France, and declared prizes all neutral vessels carrying French papers. While England ruled the sea, Napoleon's policy was futile and his ordinances were useless. Navigation ceased wherever he could enforce compliance with his will. France, which had been the purveyor of sugar and coffee for European consumption, was compelled to look to other States for her own supply, and at last the enactments of her rulers cut her off from every source; meanwhile the profits of a vast smuggling traffic which had arisen all over Europe, together with the growing trade between England and the United States, enabled English Commerce to endure this trial, in the end with positive gain. Except the English, there were soon no merchantmen in Europe, and England was called upon to act as universal agent and carrier. British fabrics and Colonial produce were so desirable that they were still purveyed, although surreptitiously and at greatly enhanced cost.

"Thus by an unintentional and strange concurrence of events the world's commerce came into the possession of England after a short effort of the Americans and the neutral nations conjured to smother it. Such an effect was as unsatisfactory to the authors of the Continental system as could well be imagined. In 1809 Havannah was made a free port, another source of profit to British enterprise. Other new markets were also sought and secured during the war, which were not relinquished when the old ones were resumed."

More recent campaigns likewise produced an invigorating effect upon the progress of British trade, and have largely increased our commercial intercourse with other countries. Between 1861 and 1880 alone no less a sum than £1,329,000,000 sterling was spent in war.

But apart entirely from such exceptional impulses, there have been other powerful influences which have contributed to the attainment of Britain's Commercial Supremacy. Investigate the subject and you will find that British energy, intelligence, and thoroughness are without a parallel; that British inventive genius and skill, by the discovery and development of steam power and mechanical and scientific appliances, have revolutionized the great industries of the world, particularly those of England herself; you will find that by British enterprise there has been inaugurated, and there is now maintained, an ever-flowing tide of emigration, and that thus new settlements have

sprung into existence in distant parts of the world, and have grown into mighty Colonies, providing the mother country with new markets for her manufactures, and furnishing new sources of supply for her inhabitants; you will find that British aspiration and valour have led to the conquest of new countries and empires, and that under British rule these have advanced in commercial importance to such an extent as to contribute powerfully to the commercial progress and supremacy of the British nation.

Investigate the question as affected by the strength and stimulus imparted to our trade by our national Reserves, which stand in constant need of wise development, and impel us ever onward, and you will find that England has, at call, resources of untold wealth in all parts of the world by which her commercial importance has been and still can be enlarged. Consider our Indian dominions with their enormous agricultural, mineral, and industrial reserves, with their vast areas of cultivated territory yielding year by year rich crops largely in excess of the quantity for which there are means of transport to consuming centres; consider India's reserves of uncultivated but cultivable tracts of the most productive description; consider also her inexhaustible coal supplies of excellent quality—her mines of copper and of iron of the purest kind. Call to mind our Burmese possessions with all their undiscovered or undeveloped wealth of oil and iron and precious stones, with their forest reserves and vast agricultural areas. Consider our Australasian Colonies,—greater in extent than even India—with their embarrassing wealth of gold, and silver, and copper, with their expanding supplies of wool and grain. Turn to the Dominion of Canada with its immense deposits of coal and iron and its undeveloped agricultural wealth, and to our South African territories, with their rich pastoral products and their great subterranean resources of diamonds, gold, lead, iron, and coal, of which the extent is but beginning to be realized. These and others are but *Reserves* of the British Empire, and if their existence has acted as an impelling force to England's commercial development during the present century, they should be no less surely an encouraging influence to her commercial progress in the future. With such Reserves, almost boundless in extent as they are in wealth, England's commercial supremacy need never wane, and the British Empire will surely have itself alone to blame, should it fail to advance in commercial importance, or suffer its supremacy to be weakened or degraded by foreign policy, by foreign competition, or by any other cause.

But the aspect of the subject upon which I would more particularly dwell is, "*How our Commercial Supremacy is to be maintained.*"

The expansion of British commerce was secured under conditions largely differing from those which now prevail. The effect upon Britain's trade of long continued wars has already been alluded to. An enormous and altogether exceptional stimulus to commerce was but the natural result also of the introduction of the Steam Engine, the Electric Telegraph, the Spinning Jenny, the Power Loom, and the Steam Hammer—discoveries which have revolutionized the industries of the civilized world. By these discoveries and the rapid substitution of steam for manual labour, England acquired advantages over foreign nations which at once placed her commercial importance, and her ability to compete, far in advance of other countries.

The rapid development of our Railway system, the enormous increase of our steamship tonnage, our unrivalled means of production, all co-operated to establish for the English nation a commanding position in various parts of the world, and opened up markets hitherto unreachd. The countries of Europe and America, recognizing the great advantages which Britain derived from her means of inland and ocean transport, and from the monopoly she virtually enjoyed of the Cotton and Iron Industries, also directed their attention to the construction of Railways and to the establishment of Factories and Workshops. But at that time it was to England they had to go for their machinery, their rails, their engines, and skilled workmen, and thus the advance made by Britain upon foreign nations placed her superlatively in the foremost rank amongst commercial powers. Again, there were the vast discoveries of gold in California and Australia which materially and rapidly increased the interchange of trade between England and these countries. Thus, to use the words of the Royal Trade Commissioners :—" Various causes contributed to give us a position far in advance of other countries, which we were well able to hold for many years," but, the Commissioners add, *" those causes could not be expected to operate permanently, and our supremacy is now being assailed on all sides."* This seems only too true. All civilised nations now have their Railways, their Factories, their Workshops, their skilled workmen, and have provided themselves with the latest and most economical manufacturing appliances. To such an extent has this occurred that Britain, instead of supplying the nations of the world, is now not merely reduced to the position of an earnest competitor, but is also one of the chief commercial constituents of these nations—not apparently because she can afford to be generous in her encouragement of foreign competing industries, but because, by the trading policy which England has chosen to adopt, she fosters the production and importation of

foreign produce and manufactures, and buys extensively in what on the surface may appear to be the cheapest market, regardless of costly and far-reaching consequences to her own home and Colonial trade. A writer on this subject remarks that—

“If cheapness were the only thing to be considered in the Commercial policy of a nation, it would be far more advantageous to import the foreign workman and let him produce in England, rather than import the product of his toil ; for if we imported the workman, England would not only have the wages of that labourer spent in her own country, but would also secure the lessening of taxation caused by the greater area over which the taxation would be spread.”

So long as England had a practical monopoly or a greatly preponderating control of the manufacturing industries of the world, she could well afford to disregard the lines upon which other nations conducted their commercial transactions. But in these days of breathless competition—in these days of sweating systems—in these days of short time movements and of absolute closure of British factories, when it would be well for our Legislators to realize that it is the first duty of a Government to find employment for the people—in these days of great agricultural poverty—in these days of idle capital unable to find remunerative investment at home—in these days of oft-recurring signs of disquietude and distress on the part of the employed and unemployed masses, and of commercial strife amongst the peoples of our own empire,—it seems like a measure of retrogression, it seems as a slur upon our national perception and judgment, it seems an infatuation of mistaken national pride, it almost seems a national crime, for England to adhere to independent and unreciprocated principles of commerce which threaten to lead her on to national calamity. Our foreign competitors have not seen fit to adopt our unprotective policy or even to recognize it as in any way necessary or helpful to their advancing prosperity or welfare. If only the struggle for commercial supremacy were reduced to a basis of fair and honest competition, there can be little doubt but that the British Empire will long remain supreme ; but the prospect of establishing such a basis of trade amongst the nations of the world appears to be gradually growing more distant so far as Britain is concerned, and, as a result, we find that England is being compelled to relinquish her control of several of the principal branches of the world's commerce. Even with all her commercial advantages and reserves, and despite her well established connection throughout the world, our country cannot, in these days, but be affected by the protective policy of other powerful nations, and there must surely be some limit to the imposition of duties on British manufactures beyond which England cannot afford to look on with indifference. “Nations cannot be

independent of each other"—nor need we, as advocates of Universal Free Trade as distinguished from that unreciprocated Free Trade now practised and encouraged by England, be seceders from our principles if we admit that the hiatus between the commercial position of England and that of her competitors is steadily contracting, and that if the supremacy of our empire is to be maintained, and the interests of those of our people most in need of national care are to be protected and advanced, it will be necessary for the British nation to appreciate and utilize the advantages of commercial reciprocity, even though retaliation should be needful.

We have the testimony of the world's first economists in support of retaliative duties when such are necessary for the protection and preservation of a country's trade. In his "Wealth of Nations" Adam Smith has bequeathed to us his opinion thus—

"It will generally be advantageous to lay some burden on foreign for the encouragement of domestic industry, when some tax is imposed at home upon the produce of the latter. In this case it seems reasonable that an equal tax should be imposed upon the like produce of the former. This would not give the monopoly of the home market to domestic industry, nor turn towards a particular employment a greater share of the stock and labour of the country than would naturally go to it. It would only hinder any part of what would naturally go to it from being turned away by the tax into a less natural direction, and would leave the competition between foreign and domestic industry after the tax as nearly as possible on the same footing as before it. It may sometimes be a matter of deliberation how far it is proper to continue the free importation of certain foreign goods when some foreign nation restrains by high duties or prohibitions the importation of some of our manufactures into their country."

And we have similar testimony from John Stuart Mill, who states that—

"A country cannot be expected to renounce the power of taxing foreigners unless foreigners will in return practise towards itself the same forbearance."

"The only mode in which a country can save itself from being a loser by the revenue duties imposed by other countries on its commodities, is to impose corresponding revenue duties on theirs."

It is important, in considering the aspect of the subject before us, that we should glance at the progress made by England and her foreign competitors in order that we may be enabled to draw an intelligent comparison between their relative advancement.

Between the years 1860 and 1880 exports advanced in the

United Kingdom	...	...	77 %
United States	...	...	97 "
Germany	...	...	100 "
Belgium	...	...	174 "
Holland	...	...	195 "
France	...	...	58 "

or, taking imports and exports together, we arrive at the following comparison for a period of 15 years ending with 1884.

United Kingdom	...	...	24 %
France	...	...	39 "
Germany	..	...	56 "
Russia	...	...	14 "
Austria	...	...	65 "
Spain and Portugal	...	...	80 "
Holland	...	...	103 "
Belgium	...	...	81 "
United States	...	...	59 "

Thus, while the average advancement of the United States and Continental protectionist nations was 50 per cent. Great Britain advanced only 24 per cent. If we examine Savings Bank Deposits, which are frequently claimed to be an indication of the progress and condition of trade, we are furnished with the following comparison of the increase per head of population from 1860, to 1882.

United Kingdom	...	...	61 %
France	...	...	312 "
Germany	...	...	370 "
Austria	...	...	142 "
Italy	...	...	100 "
Switzerland	...	...	92 "

so that, whilst England has increased her deposits by 61 per cent., other nations are able to record an average increase of 203 per cent. Again, the consumption of Cotton since 1873 has increased over 80 per cent. in the United States, over 60 per cent. on the Continent, and not quite 9 per cent. in England.

In Germany the production of iron, the trade in almost every article manufactured in Sheffield, and the expansion of her woollen industries—especially as regards her supplies to foreign countries—have been steadily advancing, whereas the corresponding branches of trade in England have, relatively, been stationary or declining. In the glass trade Germany, Belgium, and Austria-Hungary are superseding England, Belgium alone having increased her trade in this commodity to such an extent that she is now nearly a million sterling before us though in 1870 she was £196,000 behind us.

If figures are not conclusive, take the opinion of experts on the condition of British and Continental trade. A member of the United States Tariff Commission who visited Europe for the express purpose of reporting upon the working of English and Continental systems defines the result of his investigations thus:—

"I found shoddy manufacturers from Batby and Dewsbury established in Prussia,—Lancashire and Scottish Spinners in Rouen—Leicestershire Hosiery manufacturers in Saxony—Yorkshire Wool combing establishments

in Rheims—Dundee jute mills in Dunkerque—all wool stuff manufacturers in Roubaix—English iron and steel mills in Belgium—and English woollen mills in Holland.

"Removing English capital to the Continent has secured a profitable home market, while England was near with widely open ports to serve as a 'dumping-ground' to unload surplus goods made by foreign labour superintended by English skill. In this way the English markets are swamped and her labour undersold."

Mulhall states that "during the last 20 years of this century, the linen industry of Germany has increased 300 per cent."

"The Nineteenth Century" of June 1883 contains this information—

"During the last 20 years the linen industry of great Britain has decreased 18 per cent."

And again the same magazine reports that—

"The shares of the leading Flax Mills in Germany are 20 and 22 per cent. above par. The shares of the ten principal Flax Mills in Belfast are 58 per cent. below par."

Thus if we judge foreign prosperity and the relative merits of British progress during the last 25 years by the criterion of statistical evidence, it would almost conclusively appear as if England's declension were attributable, in great measure, to the indiscriminative observance of unreciprocated Free Trade principles, and that the relative prosperity of foreign countries is due to the observance on their part of a protective policy. So also would it appear that England's Commercial Supremacy can only be permanently established through the medium of fair competition and exchanges of trade on a common fiscal basis, whether that basis be one of international Free Trade or international Protection. The inaugurators of England's Free Trade never anticipated that absence of reciprocity which at present exists. *Their Free Trade was founded on the assumption and in the distinct expectation that all other nations would emulate the example of England.* It was clearly their intention that England should merely take the lead in a grand and beneficial measure of reform, but that she should handicap herself, or any one of her important industries, was surely far indeed from their minds. Thus we find that Cobden in 1842 expressed his views as follows:—

"The Americans are a very cautious far-seeing people, and every one who knows them knows that they would never have tolerated their protective tariff if we had met their advances by receiving their agricultural products in exchange for our manufacturing products."

Now, however, as a matter of fact, after admitting into England for 40 years the agricultural products of America, we find the Americans as strong protectionists as ever.

In 1844 and 1846 Cobden again records his opinion in these words:—

"You have no more right to doubt that the sun will rise in the heavens to-morrow than you have to doubt that in 10 years from the time when England inaugurates the glorious era of Commercial freedom, every civilized country will be free traders to the back bone." \* \*

"I believe that if you abolish the Corn Laws, and adopt Free Trade in its simplicity, there will not be a tariff in Europe that will not be changed in less than five years to follow your example."

Far from being realized these prognostications seem now unfortunately to be further from fulfilment than they appeared to be in Cobden's time, and after more than 40 years of Free Trade in England, not a single civilized country is a Free Trader. Again in 1844 Cobden remarked :—

"I speak my unfeigned convictions when I say, that there is no interest in the country that would receive so much benefit from the repeal of the Corn Laws, as the farm tenant interest in England."

The fulfilment of this prediction is, that the owners and tenants of land during the past 40 years have lost more than 150 millions sterling.

I commend these figures and quotations in their relation to the present position of British and foreign trade to the consideration of our legislators. If our country's supremacy is waning, then the time has surely come for all advocates of *universal* Free Trade to acknowledge the weakness of our position, and strive unitedly to bring about that condition of international traffic, that free interchange of commerce, which such men as Cobden and Bright so strongly and so ably advocated, but which, by the action of foreign nations, unchecked and uncontrolled by England as that action now is, has become a mere abortion of the Free Trade scheme of these great men. I refrain from dealing in detail with the merits and demerits of Free Trade or Protection, but express the conviction, that if the British nation continues to disregard the protective action of formidable competitors, and persists in patronizing a system of independent and unreciprocated Free Trade, she cannot fairly expect to maintain her Commercial Supremacy, although she may claim to be invulnerable as a trading power in any fair and honest struggle for commercial pre-eminence.

Actual figures support comparison by percentages, and also shew that in countries where imports have been taxed, exports have not decreased, but have expanded in much greater proportions than the exports of England. They further indicate that our exports to foreign countries have decreased £13 millions sterling since 1870, whilst to our Colonies they have increased £27 millions—thus, had not the colonial trade been in England's hands, her position would have been much worse than in 1870. The above decrease of £13 millions appears to demonstrate that British manufactures are being gradually excluded from protectionist countries. Whatever the effect of protection may be, the fact remains that protectionist nations are advancing much more rapidly than England in almost every branch of trade.

CALCUTTA ;

WILLIAM WILSON.

5, Lyons Range.



## ART. VIII.—PASSENGER FARES FOR LONG DISTANCE RAILWAY TRAVELLING.

**I**T was stated not very long ago in the Corporation of Bombay, during a discussion upon representing to the Government the advisability of placing lavatory accommodation in the 3rd class carriages of long journey trains, that such accommodation was unnecessary, for the reason that the 3rd class passengers in India do not travel a greater average distance than fifty miles. It is acknowledged that these 3rd class passengers form the bulk of the coaching traffic, the receipts from whom amount to 95 per cent. of the total receipts, and the Traffic Manager of a large Indian Company has made the remark, that so far from 1st and 2nd class passengers being of any benefit to his Company, if they could by such means get rid of their 1st and 2nd class traffic, it would pay his Company to give every 1st and 2nd class passenger five rupees to go elsewhere. The 3rd class traffic pays because the 3rd class passengers are at the principal stations, packed in the carriages as closely almost as eggs in a basket, space and weight carried being economised to their fullest extent, and because many passengers who can afford it do not travel in the higher classes owing to the great disparity in the fares. The working class in India are, next to China, probably the poorest and worst paid in the world. In the chief towns the wage of the unskilled labouring man is 5 annas per day, which, as an anna is now worth exactly one penny, is equivalent to 5d. per day. In the country districts the agricultural labourer considers himself well paid at 3 annas per day. The ordinary railway charge for 3rd class passengers is 3 pies, or one farthing per mile, just one-fourth the charge for the parliamentary train as it is called in England. But the lowest wage of a town labourer in England is 18 shillings per week or 36 pence per day, being seven times the wage of his compatriot in the Presidency city, while the lowest wage of an English agricultural labour is 9 shillings per week or 18 pence per day, equal to 6 times that of his fellow-labourer on an Indian farm. It thus follows that, other things being equal, one farthing, or 3 pies per mile is not nearly low enough to attract any considerable amount of coaching receipts in India. That this is so, is understood and acted upon by the Great Indian Peninsula Railway, who throughout the year run a special night train of 3rd class carriages, (which stops at every station) for 4th class

passengers, at the reduced rate of  $2\frac{1}{2}$  pies per mile, which for the average of 50 miles, amounts to  $10\frac{1}{2}$  annas per passenger. It is thus evident, by comparison of the respective wage rates of England and India, that if 3rd class passengers are to be attracted to travel long distances, if the 250 million population of India are to be persuaded to travel at all, the rate per mile charged for long distances must be largely reduced.

The administrations of the various English railways have, for many years, been moving in this direction. The competition between the various lines is so keen that, during the summer and autumn touring season, tourist return tickets are issued from London to Edinburgh and Glasgow, to Rotterdam and Amsterdam, to Bolougne and Paris, and to many other cities at the usual charge for a single journey or less, the passengers being entitled to travel and break their journey by every ordinary train, special daily express trains being also, in many instances, run for them. In addition, frequent excursion special fares are advertised from the provincial towns to London at similar reduced rates, the passengers in many cases being entitled to travel by the ordinary trains. The system of reduced fares in England has been developed by means of competition, hence the reductions are only made for return tickets, to prevent passengers from returning by competing lines. In India this competition, owing to the fewer lines and the enormous extent of country traversed, is necessarily absent, and coaching traffic receipts can only be increased to any extent by the companies taking an enlarged view of their position, and of the special circumstances of the people whom their railways are intended to serve. Though the 3rd class passenger is supposed to be averse to travelling, yet it is remarkable the distances they manage to cover in the endeavour to procure a living for themselves and families. Bombay, it is known, is a city of foreigners. Every native inhabitant has his family village in the districts, at a distance nearer or farther removed. Though the majority probably come from Guzerat and Maharashtra, within 500 miles of Bombay, yet many have to travel much further distances. The merchant and shopkeeper hail from Guzerat, Kathiawar, Kutch and Rajputana, the carpenter from Guzerat and Kutch, the mason from Poona and Kathiawar, the bricklayer from Hyderabad in the Deccan, the office sepoy from the Malabar Coast and Delhi, while the cow and buffalo keeper hails from the Jumna and Ganges districts. All these people have to visit their paternal home once a year if they can afford it, and every larger-sized village, near and remote, contains a temple, a god, a river, or spring of water, which is efficacious to cure all diseases and to bring good luck to the visitor, its reputation, as in the

case of all pilgrimages throughout the world, being in direct proportion to the distance travelled over, and the pain, trouble or money expended in reaching and returning from it. Just the same as every Musalman pilgrim to Mecca feels himself so raised in social estimation as ever after to call himself "Haji" or "pilgrim" as his distinctive title, so every Hindu feels, after a pilgrimage to Nasik, Pandarpur, Allahabad, Benares, or Jaganáth, that a sort of reflected glory of the god has passed over him: he, as a travelled man, has acquired an enhanced reputation among his fellows. It is worthy of remark, as showing the influence that railways speedily exert in making people travel, that since the opening of the Rajputana Railway within the last few years, two new classes of work people have, in large numbers, come to Bombay from Malwar, *viz.*, stone masons and bricklayers.

What is needed is a carefully considered system of reduced fares for long distances, which will encourage the ordinary man in search of health, business, pleasurable relaxation, or salvation from sin, to extend the circle of his travels.

How can this be brought about? It must be acknowledged that the fact that 3rd class passengers travel no further on an average than 50 miles, is very like a confession of failure on the part of the railway administrations to meet the demand. Let us consider the various heads of expenditure that passenger fares are levied to meet.

The passenger receipts have to bear the whole interest on the cost of, and the charge for, the maintenance of the passenger terminal building, and of the working staff employed in this building. Also the cost of passenger engines, carriages, and carriage shops, and of the staff employed in repairing them, and the running charges of the passenger trains, such as coal and stores, the wages of the driver, firemen and guards. All other charges the coaching receipts share with the goods traffic in the following items, in varying proportions, depending partly upon the respective volume of coaching and passenger traffic, but more especially upon the weight and speed of the engines and trains, goods trains in the majority of cases running much heavier train loads with far weightier engines, the disparity being partly counterbalanced by the greater speed at which the coaching traffic is run. These items are interest on cost, maintenance, and staff of district stations, cost, maintenance, and staff of the locomotive shops, of bridges and permanent way, semaphore signalling apparatus and staff, locomotive tanks, telegraphic instruments and permanent plant, such as poles and wires, also the working telegraph staff.

Though the passenger traffic as a whole has to bear its share

of the cost and maintenance of all the above items, yet in respect of the cost of station buildings, and more especially that of the working staff, which last forms the large proportion of the working expenses of a railway, each individual passenger is exempted from any share in the cost of stations and station staff, except those of his two terminal stations.

The train in which he is travelling has to bear, as a whole, its share of the cost of all the items mentioned, but each passenger as an individual is concerned only with the two stations at which he takes his ticket and gives it up on arrival at his destination, and his share of the cost of the signalling staff at each block station.

But as we are advocating a system of reduced fares to encourage long distance travelling, and do not propose any reduction in local fares, it is proper to base the argument upon the additional number of passengers that will be carried, and upon the number of existing passengers who will be carried longer distances. In the first case, the additional passengers will travel in the existing train, the additional accommodation provided for them being one or more carriages according to their number. The cost in this case will be that of the extra coal used in propelling the deadweight of the extra carriage and of the passengers it contains, and the share of the cost and maintenance of the carriage. The proportion of cost of these two items attaching to each additional passenger is so microscopical, so infinitesimal, that we should be justified at putting it at one-twentieth the cost of each existing passenger. In the second case also, the passengers will travel the additional distances in the existing train, but no additional accommodation will be required for them, they will retain their seats for a longer period, and thus help to keep the train full, in the poorer districts of small local traffic, where, under existing circumstances, it runs comparatively empty. The additional cost of carrying passengers the longer distances will be the additional quantity of coal expended in the proportion that the weight of the passengers so carried bears to the weight of the whole train. The weight of passengers is so small, compared with the deadweight of the engine, guards' breaks and carriages which carry them, that we should be within the mark in putting this additional cost of double the distance for each existing passenger at one per cent., one hundredth part of the cost of existing traffic, so small an excess cost as not to be in the limits of practical calculation. Take an extension of the first case and call it a third case. Suppose that the number of the passengers has so increased as to be beyond the power of the engines. This necessitates running extra trains. The cost attachable to the passengers run in each extra train, is the bare cost and maintenance of the rolling stock of the extra

train, and of the driver, firemen, guards, coal, and stores used by each particular train for the time only that it is running. None of the main items of cost and maintenance of stations, permanent way, and telegraphs, are debitable to this additional traffic, as these items of original cost have already been provided for in the existing traffic.

But the second case presented cannot be expanded into a corresponding fourth case, for the reason that the passengers travelling, upon the assumption of longer distances, retain their seats in the train, and therefore are, for the longer distance, carried by the railway without additional cost. The third case has been well understood and acted upon in the Suburban, or, as it is called, the local traffic of the B. B. & C. I. Railways between Bombay and Bandora. The distance between these stations is  $10\frac{1}{2}$  miles. There are, including the terminals, eleven stations. The trains run every 30 minutes, calling at all stations, and do the distance in 40 minutes. Each train is made up to carry 400 passengers in 10 carriages, the guards' compartments are cut down to a *coupe* at the front and rear of the train, which being light is drawn by a tender engine on one flange. Each train has the Westing House brake attached, and does the return journey in two hours. There being four trains every two hours, the whole traffic of about 40 trains each way daily is worked by four trains, the cost of the rolling stock is divisible by ten, the double shift of driver, firemen and guards by five, and the permanent-way stations and staff by 40, in order to ascertain the train mileage rate. The Company for this Suburban traffic issue quarterly season tickets to 1st, 2nd and 3rd class passengers at something like one-fourth their charge for a single journey, the system upon which they work the traffic showing that they are well within the mark in doing this.

Take also the instance of the Bombay Tramway Company which formerly charged 3 annas per journey from the Sassoon Dock to the Byculla Station, a distance of  $4\frac{1}{2}$  miles, and 2 annas from Sassoon Dock to the Crawford Markets,  $2\frac{1}{2}$  miles. Some years ago the Company reduced the former charge to 2 annas, thus, according to the usual putting of the argument, carrying its passengers from the Crawford Markets to Byculla, the distance of 2 miles, for nothing. The Company found this far-seeing policy to succeed so well, that, when it extended its line to Parell, a further distance of  $1\frac{1}{2}$  miles, it made no additional charge, and thus carries its Sassoon Dock to Parell passengers the distance of  $3\frac{1}{2}$  miles, out of a total distance of 6 miles, without charge.

The usual rate of charge on Indian railways is 3 pies per mile for 3rd class passengers, 6 pies for 2nd class, and 12 pies, equal to 1 anna or 1 penny, for 1st class. Some Companies

and Government lines charge more, none (excepting those in Madras) less. The disparity between the rates charged is so great as to defeat the purpose intended. The writer is accustomed to travel 1st class in distances up to 200 miles, but in a recent pleasure trip to the North-West, in which he did 3,000 miles in a fortnight, the difference between 1st and 2nd class fares was so great, that it would have been foolish to go to the greater expense, and he found to his surprise, that except when close to large cities, the latter was just as comfortable as the former, and only half the cost, all 2nd class carriages being now provided with sleeping berths and good cushioned seats and backs. In order to overcome this feeling of thriftiness, the 2nd class should not cost more than 50 per cent. more than 3rd class, and first class 50 per cent. more than 2nd class. This is very much the scale of difference on English lines. Most people who can afford it, will pay this difference for the sake of the increased comfort given by superior fittings, more roominess, and the innate satisfaction felt at the deference exhibited to those travelling in the superior class. Railway administrations, like other business people, must be prepared to profit by the failings of human nature. Opinions will, no doubt, greatly differ as to what should be the amount of the reduction made for long distance travelling, nor has the best basis for such reduction ever been decided upon. All will agree that a considerable reduction is fair, and the only way to make Indian lines really useful. A scheme has been seriously proposed in England, based upon the wonderful success achieved by the one rate of the Post Offices and Telegraphs, to charge a shilling, 3rd class fare, for all distances outside a fifteen mile radius of London. The rate proposed may be too low, but there is nothing ridiculous in the proposal itself. The attendant expenses of refreshments, and loss of time on a long railway journey, are so considerable, that no one who has business in Oxford, is likely to travel to York or Aberdeen because he would be carried the additional distance for nothing. With the shilling ticket system, a passenger would not be allowed to break his journey, the stoppages of a tourist or commercial traveller might entail the purchase of twenty tickets or more before Aberdeen was reached.

The system which, to the writer, seems more suitable to the long distances of India is as follows:—For the present, at least, to retain all existing fares up to the distance of 50 miles. Beyond this distance to reduce fares by equal amounts every 10 miles up to a further distance of 500 miles; so that a traveller, who takes a 3rd class ticket on any one line for a distance of 550 miles or more, shall have to pay 1 pie only per mile instead of 3 pies or more as now. Similarly, that a 2nd class passenger, for that, or a longer distance, shall have to pay  $1\frac{1}{2}$

pies per mile instead of 6 pies or more, and a 1st class passenger  $2\frac{1}{4}$  pies per mile, instead of 12 pies or more.

If a passenger should travel over two or more lines, the total charge should be made according to the separate differential rates applicable in the table for the distance run on each Company's line. For instance, a distance of 1,000 miles run upon three separate lines in the proportion of 200, 300, and 500 miles, each Company would charge at its rate for 200, 300, and 500 miles respectively.

The first of the following table gives the differential rates for the 3rd class, reducing from 3 pies to 1 pie per mile. Where the initial rate is over 3 pies, the table will need recalculation. There are 50 separate fares charged for each 10 miles from 50 to 550 miles; but the few instances given are sufficient to show how the table is constructed. The other two tables show the corresponding rates for 2nd and 1st class.

Initial rate in pies,	Multiplier	Rate charged in pies per mile, corresponding with distance.	Distance for calculation in miles.	Total distance corresponding with rate charged
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### 3rd Class.

3	X	·333	1 000	500	550 miles and upwards.
3	X	·346	1 610	490	540 " to 550 miles.
3	X	·466	1 400	400	450 " " 460 "
3	X	·586	1 760	310	360 " " 370 "
3	X	·600	1 800	300	350 " " 360 "
3	X	·733	2 200	200	250 " " 260 "
3	X	·746	2 240	190	240 " " 250 "
3	X	·866	2 600	100	150 " " 160 "
3	X	·986	2 960	10	60 " " 70 "
3	X	1 000	3 000	0	50 " " 60 "

Method of calculation, see multiplier.

$\frac{1'000 - \cdot333}{50} = \frac{0'666}{50} = 0'0133$ , being the difference of multiplier for each 10 miles.

### 2nd Class.

3	X	·500	1 500	500	550 miles and upwards.
3	X	·539	1 590	490	540 " to 550 miles.
3	X	·770	2 310	410	460 " " 470 "
3	X	·800	2 400	400	450 " " 460 "
3	X	1'100	3 300	300	350 " " 360 "
3	X	1'130	3 390	290	340 " " 350 "
3	X	1'370	4 110	210	260 " " 270 "
3	X	1 400	4 200	200	250 " " 260 "
3	X	1'670	5 010	110	160 " " 170 "
3	X	1'700	5 100	100	150 " " 160 "
3	X	1'790	5 370	70	120 " " 130 "
3	X	1'970	5 910	10	60 " " 70 "
3	X	2'000	6 000	0	50 " " 60 "

$\frac{2'000 - \cdot500}{50} = \frac{1'500}{50} = 0'030$ , difference for each 10 miles.

Initial rate in pice.	Multiplier.	Rate charged in pice per mile, cor- responding with distance.	Distance for cal- culation in miles.	Total distance corresponding with rate charged.
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*1st Class.*

3	×	750	2'250	500	550 miles and upwards.
3	×	815	2'445	490	540 " to 550 miles.
3	×	1'400	4 200	400	450 " " 460 "
3	×	1 985	5 955	310	360 " " 370 "
3	×	2'050	6'150	300	350 " " 360 "
3	×	2 700	8'100	200	250 " " 260 "
3	×	2'765	8'295	190	240 " " 250 "
3	×	3'350	10'050	100	150 " " 160 "
3	×	3 545	10 635	70	120 " " 130 "
3	×	3'935	11'805	10	60 " " 70 "
3	×	4'000	12 000	0	50 " " 60 "

$$\frac{4\ 000 - 750}{50} = \frac{3\ 250}{50} = 0.65, \text{ difference for each 10 miles.}$$

There is no particular virtue in the final rates and distances above given.

Some may think that the reduction, especially in 3rd class fares, does not go far enough, others that the reduction should be based upon 300 not upon 500 miles. The basis upon which the calculation is made, shows that nothing is simpler than to construct such a differential scale of rates, applicable to the varying initial rates of the different railway administrations in India. It will be seen that the proposed scale will not, to any considerable degree, reduce the receipts on existing traffic. For instance, no one in Bombay thinks of travelling beyond Poona, a distance of 120 miles. The present 2nd class rate to Poona is reduced from Rs. 3-12-0 to Rs. 3-6-0, and 1st class from Rs. 7-8-0 to Rs. 6-10-0.

This remark, however, does not apply to the 1st and 2nd class traffic from Calcutta to Simla and Bombay, and Bombay to Madras and the North-West. The reductions here proposed will cause a certain immediate loss to the Companies concerned, but will result in a largely increased through traffic, many 3rd class passengers will go 2nd class, and 2nd class change to 1st class. So far as the Calcutta to Simla route is concerned, the fares are eventually paid by Government, which is therefore interested in getting the proposed reductions effected.

As to the general question of reduced fares for long distances, the writer's experience is, that the existing system forms an absolute bar to travelling. The writer has often been on business and pleasure to Poona, 120 miles, and on pleasure to Khandala, Matheran and Surat, 80, 60 and 160 miles respectively. He has lived 25 years in Bombay. During this time he



has been once to Madras and once to Agra on business; he has also been once to Delhi and once on the South Maratha Railway to Goa on pleasure. He has never been to the Himalayas, neither to Simla nor Darjiling. He has never visited Calcutta, nor the Nilgiris, nor Mount Abu.

One reason, perhaps, why railway men have never felt a personal interest in this question, may be because all railway officials are entitled to, or rather are always given, on application, free 1st class passes for themselves, their families, and servants, over every railway in India and England, probably on every line, all over the world, whenever they chose to ask for them. This is a communistic state of things, in which, to a reasonable extent, the general public ought now to be allowed to share. The reason why this concession is granted to a railway brother official is because, as has been already indicated in this article, a few extra passengers daily cost nothing to carry, and because, if the concession were to be abolished, the officials concerned, and their families, would never travel beyond the limits of their respective lines. Railway officials are therefore perfectly right, on strict business considerations, to accord their craft this privilege. The general public do not grudge them this, but are justified in urging that *their* good should not make them insensible to *other's* misfortunes.

The following extract from the *Graphic*, of August 3rd, 1889, shows that these ideas are making way on the continent of Europe:—

"A sweeping reform begins this week on the Hungarian State Lines. The Government propose to carry travellers at almost uniform charges, like letters, dividing the distances into two zones, local and general. The local zones comprise two charges, one from station to station, 6d., 3d. and 2d., according to class, the second, including the whole distance and costing 8d., 4½d. and 3d. The general zones vary from 15 miles to beyond 140, and are sub-divided into fourteen zones, the fares for each zone from the first to the twelfth, costing 10d., 8d. and 5d., and for the two last 1s. 8d., 1s. 2d. and 10d. a piece.

*Distances beyond 140 miles cost no more:* for example, the journey from Buda-Pesth to Fiume on the Adriatic can now be made for 13s. 8d. instead of £3 1s. This plan appears excellent for long distances, but it is doubtful if it will answer for short journeys. If it succeeds the private Hungarian lines will be obliged to adopt the system."

These fares confirm fairly closely the proportions between 1st, 2nd and 3rd class fares that are in this article proposed for adoption in India. On the local traffic zones the 2nd class is 50 per cent. more than the 3rd, and the 1st class about double the 2nd. On the country traffic zones, the 2nd class is 40 per

cent. in excess of the 3rd, the 1st class being about the same proportion in excess of the 2nd class. The 3rd class fare is on the average, for the 140 miles,  $\frac{1}{4}d$  per mile, but it is positively startling to one's sense of propriety to find that a so-called reactionary continental Government has decided to carry passengers upon long journeys for more than one half the distance for nothing. Fiume is about 300 miles from Buda-Pesth, which is in the centre of Hungary. The total fare of 13s. 4d works out the correct calculation for the 1st class rates, so that the new fares are, for the long distance, given between one-fourth and one-fifth those of the old fares. The 3rd class fare for the whole distance is less than one farthing (3 pies) per mile. One should know the daily wage in Hungary (it must be much more than 5d), in order to exhibit, by comparison, how much the people of India can afford to pay per mile for their long distance travelling. The rates for the two Hungarian suburban zones also show that the Government only charge for the outer zone one half that for the inner. The reason for the reduction is evidently that already adduced in this article, that a passenger travelling a long distance only uses two stations, and costs no more to the staff in looking after him than a passenger who goes a mile only from station to station. It follows from this argument that contract passes for suburban traffic should not be charged an equal mileage rate according to distance, but at differential rates a short distance being charged per mile at a considerably higher rate than a 10 or 30 miles distance. In fact an equal mileage rate is no where fair and just,—neither for the administration, the passenger, nor for goods; the terminal charge must be separately expressed, and this can only be done by differential rates according to distance. No reference has here as yet been made to passengers' luggage and parcels, but it is evident that, if the considerations here advanced are on a sound basis, a differential mileage scale of charges for luggage and parcels will have to be issued simultaneously with, and on the same system as, the tables of passenger fares already exhibited. For some years past a system of differential charges for light parcels, provisions, and ice has been in force throughout the Indian lines.

The principle here advocated is thus already in partial use. What is now needed is to extend its operation on a sound business basis.

DAVID GOSTLING, F. R. I. B. A.,

BOMBAY.

*Architect.*

## ART. IX.—LORD LANSDOWNE ON EDUCATION.

THE Viceroy's address at the Punjab University Convocation has brought the whole Educational Question before the public in a manner that no amount of unofficial writing or speaking could possibly have done. He has shewn in no wavering tones his ideas as to what the real aim of education should be. His opinion is, of course, shared by every man of culture whether Native or European in the land, but the principles laid down by him are as foreign to the minds of the bulk of Native students as were Western Educational ideas to those who studied under the Rishis of old, in the jungles and desolate places of the land.

The Viceroy takes up three points which he rightly shews to be the blots on the Educational Idea as it presents itself to the native students mind.

The first is that the native schoolboy, after having worked through school and college, considers that a University degree should follow as a matter of right ; that this is the prevailing idea, no one who has studied the subject can possibly doubt. Apart from the complaints on this head alluded to by Lord Lansdowne, we are all familiar, especially in Bengal, with the constant murmurings against a difficult examination, with the constant appeals for an easier standard : in other words, the ever sounding murmur that the examinations should be levelled down to the standard of the students acquirements. We never hear, as one would at home, of a determined effort to buckle to and work up to the standard which at present seems a severe one. The feeling of glory which in England attaches to a man who was a high Wrangler in So-and-So's year, or took his double first with a pre-eminent scholar, has no existence in the mind of the student who wants a degree and nothing more. Education, like every thing else, must be made easy for the student in this country, else "he won't play." Learning for learning sake is a useless pursuit to the minds of nine-tenths of the students of the present day. They must have a University degree, else they consider their labour is but lost.

The Rishi system had its advantages over this. Under it, men endured hardship and toil for the love of what they learnt. Hence the literature handed down from the days when the terms Middle English, Upper Primâry, and Middle Vernacular were as yet unknown to men, has a genuine ring

about it which, it is to be feared will never be found in the literature which XIXth century Indian schools and colleges is destined to hand down to posterity. The life of the late Justice Oonocool Chunder Mukerjee is of course a brilliant exception to this criticism.

The next point on which the Viceroy touched is the insane demand for employment in the Public Service claimed by every man who has taken a University degree. Lord Landsdowne might have gone further, for this demand is not confined to those who have taken that degree, but to everyone who has failed, not only to take a degree, but to pass the Entrance Examination. The extent of this craze is something amazing, nor does there seem to be the least likelihood of its stopping. We are now in this position. We are educating at a cost, which is to all intents and purposes nominal, a number of young men every year, and we are turning them out with a rooted idea that the Government which has educated them is bound to provide for them. This has not only resulted in a number of men forsaking ~~the~~ callings which their fathers followed before them and rushing into the race for Government employment, but, so far has the demoralization spread, that men who can well afford to pay for their son's education, seek by every means in their power to accept and to claim gratuitous education for those youths. The great aim in many municipalities is to increase the facilities for English education at the expense of the rate-payers: in other words to provide almost gratuitous education for the sons of the bettermost classes of the community. It is as though in England, gentlemen who could well afford to educate their sons were to agitate for the extension of the Board School system to save the expense of a public school education for their children. It will, of course, be answered, that there are no independent schools in this country corresponding with our English public schools, and this brings me to the point which I wish to bring forward. It may have been necessary, and doubtless was necessary when education was in its infancy, to provide schools and colleges, if for no other reason than to shew the people how to work an educational system utterly foreign to them. That necessity has now passed away. Education has taken root amongst the people. The tree needs no longer the protection of fascines. Higher education should now, as far as aid from either Government or local funds is concerned, be allowed to take its own course. It may seem strange to include local funds amongst the sources from which educational aid should not be given. But the reason is obvious as long as the desire to spend the money of the local ratepayer on schools which are destined to benefit those who can well afford to pay for higher education

prevails, as it undoubtedly does in most of our local bodies, so long must this desire be restrained by law. Local bodies should be compelled to provide primary education, and until this and the more legitimate work of road-making, sanitation, &c., &c. were thoroughly carried out, higher education should be paid for by those who want it, and not from the general fund contributed by the ratepayer. The present demand for education at a nominal cost is unhealthily abnormal; compliance with it is nothing more or less than the encouragement of a system of educational pauperization, of which men, for whom such a system was never intended, unblushingly avail themselves. The trade of the schoolmaster, like every other trade, should now be free, and be subject to the natural laws of demand and supply. There are enough educated men about the country now who could earn a respectable living as schoolmasters, and quite enough to supply the real demand for education, as apart from the unhealthy demand for a chance to enter the race for Government employment. Were education to be left to fight its own battle to-morrow, there would be no diminution whatever in the number of the students who seek learning for learning's sake, and who would pay a proper price for its acquisition. There would, of course, be a great falling off in the number of those who see that they can get educated for nothing, and leave those pursuits in life for which they are best adapted in order to become clerks in Government offices, or get any employment under the magical term "Siikari Naukari." I am far from advocating any system which would leave the masses in ignorance. It is the duty of every civilized Government to ensure that every one of its subjects should know how to read and write; my remarks therefore do not apply to primary education. I would even go further and say that, in the absence of the great Universities with which pious founders of old, and the rich men of more modern times have endowed the United Kingdom, we are more or less bound to provide Universities for the conferring of degrees on those who had qualified themselves to receive them. There must be some recognized hall-mark, and Government is, in the absence of any other recognized body, bound to support and encourage Universities for the purpose of giving that stamp to those who have worked well and honestly to earn it. I submit, however, with all diffidence, that the time is now ripe for leaving every school between the Patshallah and the University to its own resources. There is certainly not a town in Bengal where, if the Zillah School were closed to-morrow, there would not, before the end of the week, have sprung up one or more educational institutions, the masters of which would be earning a respectable living.

The wealthier portion of the community would, it is true, have to pay them, and in fact all those who desired *higher education* would have to obtain it as they obtain every other luxury, by paying for it. If this were done, more local money could be spent on extending primary education, and perhaps the question of sanitation might come within measurable distance of solution. At any rate the crowd of office seekers would be sensibly diminished. The holders of University degrees who had received their education as they do in other countries at their own expense, would be of a very different class to what the present men are. They would be fewer in number it is true, but would be of the stamp of men who now ornament the various professions in this country, and many of whom are excellent public servants of the Crown. We should get rid of the masses who, having been provided with a free education, now turn round and demand State employment as a right.

The third point upon which Lord Lonsdowne has given expression to his feeling is, regarding the complaint that is made of the absence of moral teaching in our schools and universities. In fact, our old friend "The moral pocket handkerchief" is again waved before our eyes. If the idea of a "moral text book" had not been seriously mooted, one would have imagined that, the idea of teaching morals by the same method as that by which Geography or History is taught, was put forward as a joke. The promulgation of the ten commandments was not supposed *in itself* to make people good. But the advocate of the moral text book evidently like—

John P. Robinson he

Says they didn't know everything down in Judee.

I am not aware that a moral text book has as yet seen the light, though it was rumoured that certain pundits in Gya were engaged in compiling such a work. It would have to be one of most artistic simplicity, however, to be better able to teach *those who require a book to teach them morals*, than is the present simple Penal Code with its useful corollaries pointing out the consequences of a neglect of any of its precepts.

The Viceroy has, it is to be hoped, given the death blow to this Pickingniffian theory. He says, "Whether moral training is associated with religious sanctions or with an attempt to teach dogmatic theology, I do not believe that you can here, or elsewhere, teach morality in the same way as you teach science, history or law; and I am sure that those who have been educated at our Universities at home will bear me out when I say, that in a University it is not to lectures in ethics, or to theological education that we look to strengthening the moral fibre of our young men in England. . . . The qualities of *purity, modesty and respect for authority* (the italics are my

own) whether in the family or the State, are qualities which tutors and professors will inculcate in vain unless supported by the great body of public opinion outside ; and it is therefore for the leaders of public opinion in India to see, that a high standard of morality is observed, and that the efforts of the Government for the education of its youth are ably seconded by their own efforts in the same direction.

How far the principles laid down in Lord Lansdowne's advice have hitherto governed those who exercise any influence over the youth of this Province, is shewn by the modest demeanour and the respect for authority shewn by the ordinary Bengali schoolboy. Had his father to pay reasonably for his education, he would doubtless see that he got value for his money, and that the youth occupied himself in pursuits other than politics and taking part in public meetings.

Hardly had the echo of Lord Lansdowne's words died away, when the recent public meeting in Calcutta illustrated, more than all the writing in the world could do, the pitch to which our schoolboys have reached. I quote from a public newspaper for the benefit of those who would naturally suppose that I was romancing in saying, that a parcel of schoolboys had the power to upset the proceedings of a public meeting in Calcutta presided over by the Lieutenant-Governor of Bengal. Home readers will scarcely credit it, but here it is :—" Babu Surendro Nath Banerjea moved. . . . The amendment was held to be carried on a show of hands, and the Lieutenant-Governor promptly rose and withdrew. It was considered that the vote had been practically carried by the boys attending Babu Surendro Nath Banerjea's school who were present in large numbers." The next day's paper had a long leader discussing the facts of this schoolboy vote. Can anything go further to shew that it is time that our educational policy were entirely overhauled and reconsidered. The incident brings us back to a celebrated dialogue once held in the town of Ipswich :—

" Grummer" said the Magistrate.

" Your Wash-up."

" Is the town quiet now?"

" Pretty well, your Wash-up," replied Grummer.

" Pop'lar feeling has in a measure subsided, consekins o' the boys having dispersed to cricket."

Only schoolboys of the stamp of the heroes of the Calcutta meeting do not disperse to cricket. They go to talk callow crudities which they think politics, or as their confrères at Dacca once did, to discuss such questions as " Ought we to obey our parents?" Cricket produces a different kind of schoolboy. This is the product of modern Bengal Education.

EDITOR.

## ART. X.—“CARRY DOWN THE MAN A PRESENT.”

—GEN. XLIII, V. II.

I WAS travelling some years ago in a Bengal district with a native gentleman whose keenness of observation was only equalled by the quaint manner in which he expressed his thoughts. He has since joined the majority, and in another world may “listen for sounds from below,” as he used to express it, “with pleasure and with pride.” We were talking about the diffusion of public opinion amongst the masses in Bengal apropos of certain public meetings that were then going on. We had just passed through a well known dense jungle, and on the outskirts of it stood a prettily situated homestead. It was the *basti* of a tolerably well-to-do peasant who salaamed to us as we passed by. “Do you think, Sir,” said my companion, “that that man knows of, or thinks anything about the Viceroy?” We were then under the rule of that Viceroy whose popularity was supposed to have permeated every cottage in Bengal. “Why Sir,” he continued, \* “the Darogah is his Viceroy.” I then asked him whether he had any personal recollection of the procedure adopted by the Darogah when paying a visit to a village, and he said that he had. I give his account of it as I took it down at the end of the journey :—

“When the Darogah approaches a village, all business is at a standstill. The women all fly to the fields and the jungles, and the men sit trembling just as chickens do when a hawk darkens the sky above the moorghi-khanah. The Darogah halts in a tope or under a tree about a mile from the village, and sends a constable on ahead. Every one asks the constable on what business the Darogah has come, but he remains silent or gives, after being fed, either false or evasive replies. Each one who is conscious of crime, nay, even he who has strayed from the strict path of virtue thinks that he himself is the luckless one who is the object of the visit. The next question is, ‘At whose house will the great man condescend to put up?’ To secure this honour, dallies of more or less value, according to the means of the senders, are “carried down” to the place where the Darogah is halted. Unless some special reason governs his decision, the Darogah elects to put up with the man who sends the best present. He, however, does not despise the smaller offerings, but takes all. A happy man is he,” continued the narrator, “with whom the Darogah puts up, for he is free

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\* Darogah is the Sub-Inspector of Police.



from fear so long as that Darogah remains at the thannah." These elaborate proceedings may have been gone through, when the Darogah is on some ordinary business, and has no particular case, either true or false, to investigate. The fear of "the man" that induced Jacob to have a present carried down, is as strong in Bengal to-day, as it was in Chaldea when the Patriarchs lived and flourished. Now, I am not claiming to put forward anything new or startling in propounding the idea, that carrying down the man a present is as essential to the opening of any transaction in this country as Jacob thought it to be, when he had reason to think that the Lord of Egypt was not quite pleased with him and his family. For many years back I have been anxious to find out some particulars as to the *man* who receives the present, and the nature of the present that is carried down to the Thannah or Cutcheiry, as the case may be. There is not, I imagine, a District Officer in Bengal or in any part of India, who is not aware of the existence of the practice, and except in some flagrant cases, there is no man who can detect it. The reason is not far to seek. The people themselves do not regard this giving of presents as anything wrong; and so ingrained has the habit become, that an ordinary suitor would think there was something uncanny somewhere, did he conduct a case to a successful issue without the distribution of the customary dole. He would have a latent fear that, in his victory, lurks some germ of defeat which would eventually grow for him into a fruit of bitterness. I do not believe that the ordinary suitor has yet been found who has tried to work a case through without having the item *bazi kurcha* (extra expenses) admitted in his Mukhtear's bill, and *bazi kurcha* covers a multitude of sins in the way of illegal gratifications. The recipients of these presents would, of course, be the last people in the world to admit the existence of this ancient custom.

One can picture to oneself the look of pained surprise,—a look more of sorrow than of anger—that would come over the face of an old peshkar, were you to hint that anything beyond the monthly 30 rupees ever found its way into *his* pocket. It is, thus, next to impossible to find out any given case of receiving and giving presents. Both the giver and receiver are interested in concealing the transaction, and even if one were fortunate enough to find an entry of the expenditure of money for illegal purposes in a Mukhtear's account, that would not convict the receiver, who would readily put down the entry as having been maliciously made. I have, however, taken some pains to ascertain, from reliable sources, what the nature of these presents is, and how they are distributed. The information I have collected is accurate, and I think an account of the various presents given in the ordinary course of business, before the police and in the

courts, may be interesting. I am also in hopes that it may be useful as indicating the direction in which this curse to the country may be watched if not checked. The information has been collected with much difficulty. Had I tried to get it myself I should have utterly failed. I shall first try to shew the means whereby underpaid sub-Inspectors, Head Constables and Constables, are enabled "to live delicately" on incomes on which no man outside the force could keep up a decent appearance in ranks of life corresponding with those grades in the service.

In any ordinary Police Station there is an investigating and writing establishment. This consists usually of a Sub-Inspector, two Head Constables, and a Writer Constable. The pay of the first named ranges from Rs. 30 to Rs. 80 a month, that of the Head Constables from Rs. 10 to Rs. 25, whilst the Writer Constable receives from Rs. 6 to Rs. 9 a month. At out-posts, there is but one Sub-Inspector or a Head Constable and a literate Constable. The Sub-Inspector's pay at an out-post seldom exceeds Rs. 30. The Head Constables Rs. 25, and the literate Constables Rs. 9. In most cases the pay is of the lowest grade, because, in the district force, there are very few of the higher grades of each class sanctioned. A certain number of Police Stations and out-posts are grouped together under an Inspector. The pay of these officers ranges from Rs. 100 to Rs. 250. Both they and the Sub-Inspectors are required to keep horses, but they are neither allowed horse allowance or travelling allowance. In many instances they use their animals for locomotion, but in most cases, the pony is trotted out when the District Superintendent or the Magistrate comes along: at other times the more effeminate and luxurious dhooly carries those officers about on their rounds of duty; even a Head Constable, with a proper sense of his dignity, will seldom be found walking. As a matter of fact there is hardly a station where illegal gain is not the rule. It is not much to be wondered at, for, as a high authority once expressed it, putting a man into a blue jumper and teaching him a ridiculous form of Salaaming, is not in itself sufficient to convert a rogue into an honest man. It requires something more than that; and that something is unattainable in the Police force as at present constituted, unless at a cost utterly beyond the possibility of consideration.

The Sub-Inspector, or any Police officer who keeps a horse, has not much trouble about the feeding of the animal. He simply turns him out to graze on the village crops. This procedure is simple and saves trouble. The villagers, however, do not like it. In one instance I know of a Police out-post having been opened almost under the eyes of an officer of magisteria

powers. It was near a tank: the first thing that had to be done was to excavate a new tank, for the policemen here in India, as traditionally in London, are admirers of the fair sex: and reputable village women did not care to come and bathe or draw water near the thannah. Next, some 300 bigahs were given up and went out of cultivation; the people who cultivated them went elsewhere, where they had not, it is true, the benefit of police protection, but then they had not the Darogah's pony and cows to feed on their crop. The Darogah's syce, it is to be feared, also grazes on the village.

There are two main heads into which Police gain can be divided: one is obtained by the suppression of crime, the other comes in the course of investigation into offences reported at the Thannah.

The former is the simpler and less troublesome method, and is carried out in this wise. When a petty theft occurred in a village, such, as he who in Ireland is called "the village blayguard" perpetrates in every small place, the Chowkedar and the headman of the village used to have him up and fine him. Half this fine was kept by the headman and half was paid to the Police; Subsequently the punchayet system was brought into vogue and no small strife arose as to the division of this perquisite. It has, I am informed, been settled by the Police still retaining their half, but the punchayets have to be content with their share of the moiety. This often is worth having, especially in cases where a lady "comes a society cropper." Now it must not be supposed that "the presents" in these cases are taken in an unscientific or unbusiness like way by the Sub-Inspector or Head Constable who may chance to be there at the time; far from it: The Police is a disciplined force, and the maxim of Sergeant Bucket "discipline must be maintained" is rigidly adhered to, even in the matter of perquisites. The money, therefore, that is handed over to the Police in the case of the suppression of crime is paid into a general fund at the thannah or out-post and is rateably divided amongst the reporting staff from the Literate Constable at the out-post upwards, until a height is reached where the officer is above taking his share. This latter attitude has seldom been reached by explorers, though instances are on record of its having been attained. Whenever a quarrel takes place at a thannah or out-post, the conclusion may be drawn with almost absolute certainty, that either a woman, or the division of the spoil is at the bottom of the dispute. The person who sits at the receipt of this custom is, at the thannah, the Writer Constable, and, at the out-post, the Literate Constable. These men are termed moonshis by the Police and the people. It is the duty of these officers to write all the registers, and there are two

forms in which entries are made. In the case of cognizable crime, what is termed a first information report is submitted. In non-cognizable cases, or reports of accidents or unnatural deaths, an entry is made in the station diary. The first named entry is, of course, the most important, and for entering it a fee is levied according to the circumstances of the parties, or the nature of the offence, before an entry is made. In the less important cases a fixed fee is paid. This, as far as I have been able to ascertain, is one rupee in Bengal and Orissa, but in Behar—poor Behar, backward in bribery as in all other respects,—the sum of seven and a half annas is taken, at any rate, at one thannah of which I have information. It would be interesting to trace how the half-anna came into the amount, but it must have been handed down from ancient days. Probably with the spread of education, quotations in this thannah may improve. Not an entry is made until this fee is paid, and the complainant is kept waiting until he produces it. This inconvenience is not often undergone as the complainant is generally brought in by the Chowkidar who instructs him as to the amount with which he is to come prepared. The entry having been made, the next demand is for "kummur kols," or unloosening the belt. That is to say, for the officers taking up the investigation. It is, at this stage, to use a vulgarism, that "the band begins to play." To take as an example a case of dacoity. The complainant, as a rule, comes and tells the Police that his house was broken into and plundered by a gang of dacoits. Being unversed in the ways of the world of the thannah, he usually says, and truthfully says, that he did not recognize any one, and suspected no person in particular. That this statement is generally true is evident from the circumstances under which a dacoity takes place. It is generally on a dark night; the marauders come from a distant village, their faces are disguised, and the average native (if, to quote an English newspaper, I may be pardoned for using the term) is in such an abject state of terror, that he hides himself if possible, or at any rate is in such a state of nervousness, that he is perfectly incapable of thought, much less deliberate recognition of disguised men. A straightforward story however is too ridiculous to find favour with a Sub-Inspector or Head Constable. Money was never made out of the truth, and, the making of money is the purpose for which a Darogah believes himself to have been sent into the world. So the complainant is instructed to charge some person with the crime. This is a golden opportunity for the complainant to at once name a person with whom he is on bad terms. He pleases the Darogah, and gratifies his personal spite by the simple process of naming his enemy, and swearing that he recognized him. Some of these recognitions are very amusing. The general

story is that the dacoit was recognized by his voice. To any one who has listened to the dull monotonous tones in which conversation is carried on between two natives in the mofussil, the possibility of a voice being recognized in the confusion and hurry of a dacoity, is slightly incredible. As well might the thud of a particular native drum be picked out of an orchestra of these instruments. Another favourite mode of identifying the man is that he has, by chance, dropped his *lathi* or stick when running away, and that *lathi* can be easily sworn to as the property of the person on whom the charge is sought to be fastened. However, the complainant swears to the man and goes away happy. He thinks he has fixed up his enemy, and peace and contentment reigns within his breast. He little knows for what he has let himself in. The first information is written up, and a constable in plain clothes at once is started off to open the next scene in the comedy. He goes to the accused people, and tells them what has occurred, and opens negotiations with them. He tells them that if they "carry down the man a present," they will get off, and the tables be turned on the complainant. And now a merry cross rough, so to speak, is set up. The accused, also with the view to see his desire upon his enemy, readily accedes to the terms proposed, or to such modification of them as may eventually be settled, and this being satisfactorily arranged, the complainant is next forced and told that he must pay if he wishes his case to be carried to a successful issue, or rather, if he wishes to avoid a trial and imprisonment for bringing a false charge. Meanwhile, village after village is visited, and respectable people are told that they are suspected of being the receivers of the stolen property, and that if they wish to avoid having their houses searched, and the trouble and disgrace attendant thereon, they too must contribute to the Police provident fund. This they of course do, and the Police score several tricks apart from those they make by the cross rough. Finally, unless the present given by one side greatly preponderates in value over that given by the other, a report is sent up which is after all this corruption, strange to say, true, *viz.*, that the occurrence has occurred, but no clue can be found to the perpetrators. In cases where the inducement is sufficiently strong, the matter is reported true or false as the case may be. It would be tedious to go into the steps taken to secure evidence one way or another, but if such things are done in the green tree, when the mere preliminaries are being settled, it may well be imagined what things will be done in the dry, when the issues are so momentous to the parties concerned. Next to a dacoity, the police dearly love a good rioting case, especially when the riot has arisen out of a dispute between two rival zemindars. The days are gone by

now, almost as effectually as the days of the battle of the four kings against five, spoken of in the book of Genesis, when one zemindar openly arrayed his forces against his neighbour. They manage things differently now, and a dispute between two ryots is made, as it were, the test case of claims of no small magnitude. It is the old story of single combat reversed ; Then the knight went forth to fight his Lord's battle to the death ; Now, after the manner of the people, the churl is sent forth to do or die or go to jail, in the battle of *his* Lord for supremacy. Fat are the pickings in those cases, for the cause of a seemingly half-naked coolie, is but the cover for the real issue involving, it may be, lakhs of rupees. It is not generally known, but it is nevertheless the fact, that, as in England, an ordinary ejectment suit is the means whereby vast interests are decided, as in the case of the Tichborne claimant, so in Bengal a common criminal trespass is, but the keynote to a case that may go as far as the Privy Council. Every disputant is anxious vicariously to secure first blood both literally and metaphorically.

There are other means, and these, too, curious in their way, whereby the toil worn Darogah ekes out his pittance of pay, and is enabled to uphold with becoming state and dignity, the position of Viceroy, which, as my friend told me, he occupies in the eyes of the peasant of rural Bengal. It will be scarcely believed, but it is true, that the wretched Chowkidar whose pay is some 3 Rs. a month, and as the Irish lady said "all he can make besides," contributes to the fund which tends to make life, even in the most out-of-the-way out-post, tolerable. The Chowkidar is obliged to attend the out-post or thannah once a week, to report what is going on in his villages, and generally to afford information. The trifling sum of one pice is exacted from each man, unless he would be reported as absent, and punished for his breach of duty by fine or dismissal.

All is fish that comes into the Darogah's net, be the take ever so small. A stern upholder is he of the domestic virtues also, for he orders the Chowkidar to report every case in which widows go astray. When the report comes in, down go the Police to the spot, and there the officer lectures the unhappy woman on the evil of her ways, and on the advantage of keeping straight. He throws in, incidentally, the possible chance of it being his painful duty to send the woman in for medical examination, and playfully hints at a procedure unknown to the Codes of Law, whereby it may be necessary to have her bound down by the Magistrate against attempting to do away with the evidences of her indiscretion. In a case where the woman is tolerably well-to-do, or her people are in respectable circumstances, there is much rejoicing at the thannah on the return of the investigating officer

The possibility of being able at last to accomplish the marriage of a daughter, or the purchase of a piece of land comes within measurable distance of fulfilment to some, who were inclined to be despondent until this case of vindicating the precepts of morality turned up. The partner of the lady's indiscretion has also to pay for his temporary lapse from the paths of virtue.

Even the grim King of Terrors, Death himself contributes to the income of any thannah or out-post which he visits in an abnormal way, or even when in the course of nature, he carries off some man "who has served his generation and fallen on sleep." For, whenever a body is found in a canal or river or field, although there is not the slightest suspicion of foul play, and it is quite certain that the man has died from natural causes, the Police reap a rich harvest. This they do by the simple means of telling certain persons that they are suspected of murder, and that it is to their advantage "to carry down (the man) a present." Even in ordinary deaths, when the friends of the deceased have, through carelessness or ignorance of their duties, omitted to report the matter (as they are by law required) at the thannah, they are told that there is a strong suspicion of their having hushed up a murder, and to avoid the consequences they go through the usual form, even though it may involve a visit to the money lender.

Whenever any accidental or unnatural death occurs, or where some wretched being has committed suicide, it is the duty of the Police to go and hold an inquest. This is a duty which these devoted public servants never shirk. It is an easier and less worrying job than a dacoity or a murder, for the procedure adopted is simplicity itself. The duties of the Police are to send in the body for *post mortem*, only in the case of doubt or suspicion attaching to the manner of death. Of this the Police are well aware, but the villagers, as a rule, are not equally conversant with the law. In most cases the Darogah's face is sickled over with the pale cast of thought. He *thinks*, but only *thinks*, just at present that the account of the death is not quite satisfactory. He seriously doubts whether his duty will not compel him to have the body sent in for *post mortem* with probably a report hostile to some body. As apart from the report, this involves the carrying in of a corpse in an advanced stage of decomposition many miles to the nearest station, and the necessity of the relatives of the deceased accompanying the unpleasant burden in the heat, it may be of an April sun, every inducement is offered to remove the doubts which the great man entertains, and thereout the provident fund sucks no small advantage. One grotesque instance of this occurred.

It was, however, before the formation of the new Police. Before, in fact, the magic influence of the blue jumper and the new form of Salaaming had leavened the lump of iniquity of which the old force was supposed to be composed. A prostitute died of snake bite, and all her erring sisters were at once assembled by the Darogah and were told that, unless they paid 20 rupees each, they would be obliged to carry the corpse to the sudder station, a distance of 30 miles. The wretched women were terrified into complying with this demand, and although forced, in many instances, to sell their trinkets, they did so rather than be compelled, as they thought they should be, to carry a corpse, presumably high, a distance of a couple of days journey from their village. Such things are of course impossible now in a force, the pay of the lower grades of which is considerably less than that earned by a cooly after a hard day's work, and for enlistment in which a handsome bonus is often given to the Police office clerks, men who have nothing whatever to do with the outside working of the force.

It is difficult, of course, to suggest a remedy for all this, but there are one or two lines on which an attempt might be made. I give them roughly, and more as a feeler to invite the opinions of others better competent than I am to form an opinion on the matter. The first thing to be done is, I think, to abolish the low paid Head Constable and to enlist the services of a higher class of men as Inspectors and Sub-Inspectors. A higher class of men will not only require higher pay, but will also have to be given some inducement in the way of promotion. A line which suggested itself as practical I believe to others besides myself, is the enrolment of the higher grades of the Police force in the ranks of the Subordinate Executive Service, through which a Police officer, who kept himself straight, might eventually hope to attain to the rank of a Deputy Magistrate. There would be some inducement then for men above suspicion to enter the service as young men, and by straightforward work to be able to look forward to a position of an honourable grade of service. The Subordinate Executive Service is recruited to some extent from the ranks of ministerial officers and from school masters. I do not see why the superior grades of the Police service should not be included in it. Their power for good or evil is certainly much greater than that exercised by clerks and school teachers, and the inducement to attract honest men, should, to my mind, be as great as they possibly can be made. A number of men (some almost illiterate, though their number is, I admit, decreasing rapidly) are let loose on the country with powers, in the eyes of the peasantry, little short of those of life and death, yet the outside promotion to which they can look forward is to the grade of an Inspector. There have, of course, been instances of



higher grades being attained to from the ranks, but these exceptions prove the rule. On the other hand a deserving clerk or school-master, whose power is as nothing compared with that of the Police, may find himself eventually in charge of a Sub-Division of a District. It would, I suppose, be rank heresy to suggest a reversion to the Chowkidari system, but I think the question is open to discussion as to whether a Chowkidari officered by a better paid class of men, with inducements before them of subsequent promotion, would not have its advantage over the present system. The Chowkidar is at present the hands and eyes of the Police, and the intervention of the ordinary constable between him and the thannah officers seems to me to be of doubtful advantage. A thoroughly reorganized Chowkidari force under the direct control of, and paid by the Magistrate and the District Superintendent, would be cheaper than the present elaborate force, and the money thus saved might well be utilized in the payment of a class of subordinate officers whose prospects and pay would place them above temptation. I shall have a few words to say in another issue regarding the presents that are carried down in the direction of the Cutcherry.

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## THE QUARTER.

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IN deference to a time-honoured custom I am writing the notice of the Quarter for this, the first number brought out under my Editorship. I intend, however, so long as I have charge of the *Review*, to make the Quarter a mere record of the principal events which have taken place, without giving any comment of my own upon them. My reasons for adopting this course are briefly these: When the *Calcutta Review* was started, Railways were unknown and newspapers were few. Mails from England came at long and uncertain intervals, and people, especially those in the Mofussil, were glad of a synopsis of the events that had taken place amongst men in the outer world. This synopsis was the more welcome, when put together by a literary man and in a readable form. Things have changed since those days, and now, every day brings the daily paper with its record of news both in England and India of the day previous to its reception. Every week brings some one or other of the leading London weeklies to every Club, if not to every bungalow in the Mofussil,—certainly to every bungalow into which the *Calcutta Review* would be likely to find its way. With this literary pabulum before him, I doubt whether the most friendly reader would feel the loss of an expression of the Editor's opinion on every conceivable topic both of Home and Foreign news. In every one of their English weeklies, readers have articles on each topic. One specialist does Ireland, another does Foreign Affairs, a third enters into the subjects of which the Home Office takes cognizance, and so on. It is therefore, to my mind, unnecessary that the Editor of this *Review*, whose name appears on the cover, and who has not even the mysterious cloak of anonymity to cover him, should be compelled to write a critique *de omnibus rebus et quibusdam aliis*. I, at any rate confess my inability to do so. On subjects on which men have special opportunities of informing themselves, they are entitled to write and to write with the authority which that special knowledge gives them. I, however, enter a protest against a man being obliged to express an opinion on the World's history for three months, because he happens to be the Editor of a *Review*, especially when that history has been discussed by specialists and read from week to week by the

people whom the reviewer of the quarter is supposed to instruct. It was, as I have said at the outset, all very well when news was scarce and a clear statement of the Quarter's news was a godsend to people who got fragmentary glimpses of what went on in the world. At the present stage of social history, I think I shall be held excused if I content myself with an account of the leading events which have taken place during the Quarter (purely for the purpose of ready reference) without inflicting on the reader a commentary on those events. Of the merits of some of these topics I am absolutely ignorant, and, of those of which I have knowledge, I prefer treating, or getting treated, in the ordinary pages of this *Review*. Acting on the principles above laid down, I will give a brief account of the leading events which have taken place during the quarter.

*In India.*

The most important event has been the passing of the Official Secrets Act. This Act is for the purpose of preventing officials employed under Government from divulging information that may have come to their knowledge in their official capacity. To make the Act workable, the receiver of unauthorised news is punished as well as the thief. The passing of the Act created, as might be expected, a flutter in a certain section of the native press, but all journals which have the decency to be ashamed of advocating the plunder of secret news any more than they would that of any other form of property, have acquiesced in the measure, and welcomed it as a necessary check to an evil which threatened to become a serious hindrance to the work of Government.

The hasty *promise* given by the Government of Bombay to the Mumludars of that Province, who confessed to having been guilty of offering bribes in the Crawford case, necessitated a special Act being passed. This was done, carrying out as far as possible the promise rashly made, without absolutely encouraging others to follow the example of those officials who, by their own showing, were guilty of an offence under the Penal Code. Nothing but the absolute retention and eventual promotion of these men would have satisfied a certain class of the community. The making of our laws, however, is not yet in the hands of that section of the people.

The Viceroy's tour round the frontier was an event which will live in the memory of those amongst whom it was made. His happy expression that his own English title signified that he was the guardian of the Marches, conveyed better than a volume could, the significance of his tour, and will probably,

be handed down in the frontier villages long after Englishmen have forgotten that the tour was ever made.

The Ganjam Famine at last came to an end during the quarter under review, but floods in Moorshedabad and abnormal November rains have seriously injured a very bright prospect of an exceptionally good harvest. Even as it is, there was much to go and come on, and what might have been a crushing calamity in an ordinary or a bad year, has been mitigated by coming in an exceptionally good one. The quarter closes with the visit of Prince Albert Victor of Wales. The visit is more or less a private one, but the unhappy Prince cannot escape the inevitable address. He has shewn in his replies that the good sense and tact which distinguishes the Prince of Wales is not wanting in his son. Another of our petty frontier wars has been forced upon Government again this year, and the Chin-Lushai expedition has started. It is to be hoped that an effectual stop may now be put to the harrass and worry which these frontier savages perpetually cause, and that a wholesome lesson will once and for all time be read to them. Lord Lansdowne's manly and outspoken condemnation of the common but mercenary view taken of the true aims of education, by those who seek after it, is an event which is destined to have its effect on the history of education in India, if not on the history of the educated classes. Minor events in India, such as Municipal squabbles, and Government Resolutions, are they not written in the daily papers. They are not calculated to enter into the composition of the history of the country, and need not be raked up and embalmed in this notice.

#### *At Home.*

The Maybrick case died finally a natural death, and the Dock-yard strike finally came to an end since the last quarter was written. The sad death of father Damien roused a powerful feeling in England on behalf of lepers. The Prince of Wales has taken an active part in the formation of a Leper Hospital; and by so doing has more or less brought the whole question to the notice of the civilized world. An Irish carman remarked touching this: "Begorra! I always thought the Prince was a sportin,' carakther, you see, he is gettin' up an hospital for *leppers* now." His ideas were the same as those of a Sunday school girl in the same country, who, *apropos* of Naaman the Syrian, defined a leper as "a man that leps." The quarter has not been without its great disasters, notably the terrible accident in Glasgow by which many lives were lost. The Manchester Canal is rapidly approaching completion, that, and above all, the Forth Bridge stand out amongst the great engineering works of all time.

The Irish controversy still drags its length along, but the Parnell Commission has at length been closed and judgment will probably soon be given. What effect the judgment will have remains to be seen. The Irish question, however, is one that, though one rose from the dead he would not change the opinions formed in the minds of Home Ruler or Unionist. I am certainly not going to try, whilst alive, and with my own consent, I shall not rise for the purpose of entering into the controversy.

*Abroad.*

The greatest event has been the marvellous revolution in Brazil, that an Emperor in South America could have reigned for a number of years, and then be quietly shunted without any fuss, without any manifesto, and with a little money to set him up in some other business, is in itself astounding. But that all this should have occurred without a drop of blood being shed is simply marvellous. They seem to manage to revolute in Brazil without disturbing the quiet of their neighbours. The Greek marriage was one of the great events of the Quarter. It is said to point to the fulfilment of a prophecy, *viz.*, that when King Constantine and a Queen Sophia reigns at Athens, Turkey will pass again into Christian hands. The collapse of Boulanger has been the great event in France, and the various meetings of Emperors and Kings which have taken place have significance only until a *casus belli* arises. The German Emperor's marked compliments to the British Fleet are supposed to indicate a desire to include England in the Triple Alliance. The King of Portugal died after a long and useful reign. Very few people in India knew him politically, but his death was felt deeply by the large Portugese community in this country. The ruptures in Crete and Armenia have disturbed the quiet of Eastern Europe, and threaten to disturb that of the West by a revival of an atrocity crusade. Silver has risen somewhat at the close of the year. It is to be hoped that the rise will continue.

10th December 1889.

A. C. TUTE.

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## SUMMARY OF ANNUAL REPORTS.

*General Report of the Operations of the Survey of India  
Department during 1887-88.*

THIS bulky and exhaustive record of last year's Survey operations informs us that they were prosecuted by 26 parties and 3 detachments. Good and useful work seems to have been done by all. Public interest will probably be most concerned with those engaged in Beloochistan, in Upper Burma, and in the Himalayan regions. In the first named *terra incognita*, military surveys have been vigorously pushed on, in spite of climate rigours. The old triangulation effected during the Afghan war of 1877-79 was, we are told, done with inferior instruments, and under considerable difficulties, "both atmospheric and political." It was clearly desirable therefore that the ground should again be gone over under more favourable conditions, that the former work should be checked and revised, and new and further necessary work undertaken, in order to secure a more reliable and sound basis for extensions of the survey that may be required in Southern Beloochistan in view of possible eventualities. Accurate knowledge there of the ground on which the game of war may be played, if played at all, and of as much of its neighbourhood is clearly imperative, if only from a strategic point of view. In Beloochistan, the Survey Department defines a good deal of this for us ; and does a good deal more. Its work in this direction, judiciously enough, has not been precisely defined ; but, as the record before us suggests, even should it be confined to the boundaries of Beloochistan only, the area to be covered extends over six degrees of latitude, and six of longitude. The special triangulation of this not insignificant bit of the world's surface has been entrusted to a party under command of Captain Longe, R. E. and Mr. T. E. M. Claudius. It is satisfactory to note that the three native soldiers attached to this party during the previous year for training, completed their course of instruction during the year under review, and were returned to their regiments recommended as having worked most satisfactorily, and become good topographers ; and it is to be hoped that opportunities will be allowed them of keeping up the scientific knowledge they have gained.

Captain Wahab, in command of another Survey party, reports thus of the locale on which it is engaged :—

"The general elevation is the highest at which operations have yet been carried on in Baluchistan, including, as it does, the highest part of the Brahui mountain system which forms the water parting between the Indus valley and the valleys and plains of Baluchistan proper. It presents the usual physical characteristics of the Baluchistan highlands, *vis*, long level valleys, cultivated at the few spots where water is obtainable and overlooked by high rugged ranges, generally bare of vegetation, or occasionally dotted with a few straggling junipers on the highest ridges, or the wild pistachio at a lower elevation. The country is sparsely populated, and in the winter the villages are often entirely deserted, the Brahuis who inhabit them migrating to the warmer climate of the Kachhi, the plain between the hills and the Indus. Supplies are obtainable with the greatest difficulty, and during the season under report, almost everything required by the detached parties had to be purchased at Kalât and sent out sometimes to a distance of 50 miles. Heavy snow fell during January, February and March, and work was carried on with so much difficulty, that the average out-turn per man for those months fell from over 150 square miles to less than 50."

That extract tells its own story, and is illustrative of the difficulties and hardships met with, to which previous reference have been made.

A map of the cantonment of Quetta, scale 16 inches to one mile, has been completed. Before very long a new one will be called for, probably owing to the rapid growth of this new frontier post.

In Upper Burma geographical and forest surveys have been actively prosecuted, and parties engaged thereon have, as a matter of fact, have had to face and meet quite as much danger and hardship as the actual fighting force. Indeed, the work to be done for the most part consisted of reconnaissance surveys in connection and co-operation with the various military movements undertaken for the pacification of the country. Major Hobday was able to extend triangulation up the valley of the Irrawaddy from Mandalay to Bhamo, at both of which places he took astronomical observations for latitude. He also, previous to the starting of the Mogaung expedition, accompanied the Deputy Commissioner, Major Adamson, from Bhamo through the upper defile of the Irrawaddy to Senbo, where he obtained additional data for basing the work to be done by the surveyors attached to that expedition. Captain Jackson, with two sub-surveyors and two native soldier surveyors of the Quarter Master General's Department accompanied the expedition, which proceeded from Fort Stedman into the Southern Shan States. A portion of the routes traversed by this column had been followed by the party that accompanied the Salween expedition in 1864-65. It is gratifying to find that the surveys then and there executed by the late Mr. F. Fedden of

the Geological Survey Department, having been tested, and are now "fully established."

With reference to the Northern Shan column, accompanied by sub-surveyor Faida Ali, we are told that a noticeable feature of the country marched over is the proximity to the Salween of the main watershed between that river and the Irrawaddy, the latter river being about 180 miles distant, whereas the Salween is only from 10 to 20 miles : a fact possibly of future importance commercially. The area of country independently mapped by sub-surveyor Faida Ali amounted to 3,425 square miles, and his work is pronounced excellent. In survey work, natives of India—when they can be induced to take to such unaccustomed, uncongenial work—usually distinguish themselves. In connection with the Northern Yaw column, a large area to the west of the Irrawaddy was reconnoitred in the Chindwin, Pakkokhu, and Minbu districts. As far as Kan, sub-surveyor Babu Jadu accompanied the column, and mapped the course of the Myit-tha, and its junction with the Manipur river. He was not permitted to ascend the hills on the west flank of the valley, for fear of collision with the Chins inhabiting them. The survey result of the Mogaung column's operations amounts to 2,348 square miles of topography. A party from it visited the Jade Mines, but no information is given about them. In addition to these reconnaissance surveys, a special survey was undertaken of the Ruby Mine tract on the urgent requisition of the Local Government. Mr Penrose and 3 sub-surveyors were detached from the party in Lower Burma and placed under Major Hobday's superintendence for the purpose. The estimated area of 10 square miles over which these mines were supposed to extend, proved to be very much under the mark, and the survey that was required to be made covers an area of 77 square miles, of which 21 square miles has been executed on a scale of 6 inches, and 56 square miles on the scale of 2 inches to the mile : useful maps have been prepared of this tract. The area of the entire Ruby tract is now determined, and it can be readily reserved and demarcated.

The Hazara expedition was availed of to survey the western slopes of the Black Mountain. The reconnaissance and approximate triangulation of Western Nepal has been extended eastwards from the Kumaun boundary to the Gandak river in Central Nepal. The work of this season, combined with that of previous years, now furnishes data for sketch maps along the whole southern frontier of Nepal. The materials are most scanty where the Gandak and Bāgmati rivers break through the Himalayas into the plains, and most abundant in the neighbourhood of Kumaun on the west and Sikkim on the east,



whence the observers could command a good view of the spurs of the Himalayas.

These operations were conducted by sub-surveyors Rinzin and Ramsaran who show special aptitude for the work. The results obtained are admittedly imperfect, not so much from inaccuracy of those which are given, as from the immense amount of detail necessarily omitted owing to the method by which the geographical information can only be obtained. The greater part of the work has been done by distant sketching from the tower stations of the North-East Longitudinal series of the Great Trigonometrical Survey by means of previously fixed distant peaks, a method which enables the surveyors to fix, with very fair accuracy, the prominent points of ridges and any other features which he can see and identify, but leaves him very much in the dark as to the run of the valleys and intricacies of drainage. Vague and incomplete though they must be from their nature, still they are valuable contributions to our geographical knowledge of districts which, without them, have been an absolute "terra incognita" to us.

Need we say that there is an immense amount of valuable information and suggestion contained within the covers of this Report upon which we have not touched.

Though, as we have said, a bulky volume, it is quite an *edition de luxe*, embellished with maps elucidatory of the text, and two or three admirably clear specimens of heliogravure turned out by the Department's Calcutta Office.

*Resolution of the Government of Bengal on Local Self-Government in the District Boards in Bengal during the year 1888-89.*

THIS state paper opens with a menace that the reports received from Commissioners of Divisions on the working of District Boards are not prepared in any uniform method, and in several particulars fail to convey the information required by Government, while in other respects they are overladen with details which it was unnecessary to communicate. We are told that—

The total number of the members of District Boards in Bengal in 38 districts is 785. Of this number, 433 were nominated by Government and 352 were elected by the Local Boards under the laws and rules in force. Of the total of members of the District Boards, 205 are Government servants and 580 are non-officials. Of the elected members of District Boards, 29·8 per cent. are zemindars or representatives of the landed interests, 26·4 per cent. are pleaders, 17·7 are Government servants, 2·3 are mukhtears, only 7 are traders, and the remainder are unspecified. The average number of members of each District Board is 20·6. The Magistrate of the district was, in every instance, re-appointed Chairman of the District Board on the expiry of his term of office under section 24 of the

Local Boards exist at the head-quarters of sub-divisions. The number of Boards so established is 106. The total number of members is 1,201. The number of members of Local Boards in which the elective system is in force is 919, of whom 543 were nominated by Government and 376 were elected. Of the members of these Local Boards, 133 are Government servants and 776 are non-officials. Of the elected members of Local Boards 51 per cent. are zemindars, 24.4 per cent. are pleaders, 4.2 are Government servants, 3.8 are traders, 3.3 are mukhtears, and the remainder are unspecified. The average number of members of each Local Board is 11.

Naturally, the 24-Pergunnahs was the district in which the fullest attendance was attained; but although Bhaugulpore numbered 40 members, Midnapore 36, and Rungpore and Sarun 30 each, nevertheless it was found impracticable to ensure, at an ordinary Meeting of the Board, an attendance of even half the members. The Commissioners, therefore, of the above Districts, are requested to report whether the members should not be reduced.

His Honor moreover observes that in many districts the number of meetings held during the year was insufficient. This remark is applicable to all the districts of the Presidency Division, except the 24-Pergunnahs: to Howrah, Dacca, Julpigoree, Shahabad, Mozufferpore, Chumparun, Cuttack, and Noakholly. In Dinagepore, on the other hand, where 21 meetings were convened during the year, the number seems to have been excessive, and must have been harassing to some members of the Board who live at a distance from head-quarters.

Para. 10 of the Resolution shall speak for itself:—

The appointment of Union Committees is still in abeyance. The difficulties in the way of their organization, both legislative and administrative, were referred to in last year's report, and no attempt was made during the year under review to overcome them. Steps have, however, lately been taken, which will, it is hoped, result in the adoption of some definite action on the subject. What is contemplated is the establishment of the Union Fund in the hands of a Panchayet or Union Committee, which shall form part of the District Fund, and shall consist exclusively of such sums as are assigned to it by the Local Board, which is the intermediate authority between the District Board and the Union Committee; while, at the same time, the complete subordination of Union Committees to the Local Boards shall be declared, and a power of control defined which is altogether wanting under the existing provisions of the law.

Receipts from pounds we are told, show a net decrease of Rs. 30,327 as compared with the collections of 1887-88; an increase of Rs. 11,762 as compared with the estimate on which Provincial adjustments with District Boards were based; and "it is impossible to say from the accounts submitted, whether the collections of the year were actually less than those of the previous year." On the whole Sir Steuart Bayley is of opinion that the administration of pounds by District Boards is not materially worse than it was under Magisterial supervision. Receipts from ferries "show a small decrease of

Rs. 24,161 But exactly as in the case of pounds, the decrease is more fictitious than real." The item *Grants from Provincial Revenues* records a vault from Rs. 2,01,573 in 1887-88, to Rs. 6,60,349 in 1888-1889. This, again, is "another fluctuation in the accounts between the two years, which is to be attributed to late adjustment."

It is satisfactory however to find a veritable increase under the head of Public Works expenditure from Rs. 32,32,968 to Rs. 34,65,541. Credit is due to the Rungpore District Board, which spent no less than Rs. 82,875 on original works, mostly bridges, including an iron screw pile one, 247 feet long, over the Ghaghat river. The subject of village roads is held to have been insufficiently reported on by the Commissioners, nor are the statistics of the sums expended in all districts available. In the Buidwan district the allotment for village roads was only Rs. 2,000,—and, none of it was spent. Of Hooghly it is reported, that there are so many village roads that it is difficult to keep them up with the funds at the disposal of local Boards. In the Dacca Division the outlay under this head was large; and Mr. Worsley suggests that particular care should be taken that the amounts allotted are properly spent, more especially as the works are not subjected to any professional scrutiny." In Bogra the amount spent was Rs. 412; in Bhaugulpore Rs. 14,074 against an allotment of Rs. 19,040. In Malda only one road, 5½ miles in length, was repaired. From the Orissa Division "no information is furnished."

The District Boards expenditure on public works extends, in several districts, to the maintenance and improvement of water communications as well as roads. This is especially the case in the Dacca Division, and the Lieutenant Governor regrets that the Commissioner's report furnishes little information under this head. The outlay in the four districts of this division amounted to Rs. 1,94,335 on original works, and Rs. 1,00,220 on repairs, and a considerable share of this, especially in Backergunge, may be presumed to have been spent in improving the waterway of the country. It is satisfactory to notice that the attention of the District Board of the 24 Pargunnahs has been drawn to the improvement of the two important *khalis*, one from Joynagore to the Magrahat railway station, and the other from Rajarhat to Sarisha. Much has been done during the year to improve the condition of the first channel, and it is hoped that in a short time these channels may be kept open for traffic throughout the year. From the Chittagong Division it is reported that some projects of canal communication are under the consideration of the District Boards of Tipperah and Noakhally, and it is expected that action will be taken on them during the coming cold season. The Chittagong District Board derives an income of Rs. 11,578 from canal tolls. Most of the canals are farmed, and the expenditure incurred was only Rs. 194. The re-excavation of the Banskhalley canal will, however, be undertaken this year.

The Lieutenant-Governor regrets to notice that, notwithstanding a small increase in the total expenditure, in many districts the number of primary schools has decreased.

About the working of District Boards we find the Commissioner of the Patna Division writing :—

“ The District Boards are generally praised for working harmoniously. Mr. Grierson discusses the question, Whether his Board is representative or an assembly of notables. Mr. Beadon says the lawyers on his Board are extremely obstructive. I think all the criticism just, and some of it useful. Much of it is of the nature of awarding marks for merit as to school boys—for intelligent interest, regular attendance, and so forth. But it seems to me that if the members stayed at home they would do just as much good.

*Report on the External Trade of Bengal with Nepal, Tibet, Sikkim and Bhutan for the year 1888-89.*

THE total value of traffic with these undeveloped, and little cared for markets registered last year, is contrasted with the figures for the two previous years in the following table :—

				Imports into Bengal.		
				1886-87.	1887-88.	1888-89.
				Rs.	Rs.	Rs.
From Nepal	...	..		1,02 77,226	1,12,34 228	93 97,491
„ Tibet and Sikkim	...	...		3,23,102	3,65,262	1,27,804
„ Bhutan	...	...		77,072	1,28,913	1,48,708
Total	...	...		1,06 77,400	1,17,28,403	96,74,003

  

				Exports from Bengal.		
				1886-87.	1887-88.	1888-89.
				Rs.	Rs.	Rs.
To Nepal	...	...		52 90,285	73 51,720	74 30 836
„ Tibet and Sikkim	...	...		3,92,295	2,50,834	79,904
„ Bhutan	...	...		1,54,725	1,80,677	1,53,044
Total	...	...		58,37,305	77,83,231	76,63,784

so that the net result of the wretched little war lately enacted on our north-east frontier has been to spoil a trade which gave promise of advancement and increased value. Traffic with Nepal being not at all, or very slightly, affected by the war in Sikkim, the chief feature of the past year's trade was nevertheless a falling off of 16·35 per cent. and 8·56 per cent. in the imports from Nepal, as compared with the figures of the two previous years respectively, while there was an increase in the exports to that State of 1·07 per cent. and 40·46 per cent. as compared with 1887-88 and 1886-87 respectively. The total value of the trade from and to Nepal was 9·46 per cent. less than in the preceding year, but 8·09 per cent. greater than in 1886-87.

Imports of cattle, raw cotton, and tobacco ; exports of rice, other grain crops, and European piece-goods, show a satisfactory

increase; though imports of grain, rice, and pulse fell off largely:—

Compared with 1887-88 the decrease in the imports of food grains into the Chumparun district was 32·92 per cent., in Mozufferpore 63·94 per cent., in Durbhanga 75·25 per cent., in Bhagulpore 65·97 per cent., in Purneah 25·38 per cent., while Darjeeling showed a slight increase of 15·43 per cent. The Collector of Chumparun makes the following remarks regarding the decrease in the grain traffic:—

“Food grains were not imported on the usual scale in consequence of the short harvest in Nepal. Crops were as bad in Nepal as in our territory, and for sometime the Durbar laid an embargo on export of such articles. When this was removed, a large quantity of Indian corn was taken to the affected tract in this district. It is considered unlikely that any of the food grains imported from Nepal during the year ever left this district again.”

A better trade was done in hides, but not so in sheep and goat skins. The manufactured woollen goods registered at Adapore alone were worth Rs. 92,539, or 78·66 per cent. of the total exports.

Para 29 has significancies which need no interpretation from us. We quote from it:—

The information furnished by the officers of frontier districts regarding the customs duties imposed by the Nepalese Government is obscure and contradictory, and it is evident that until fuller inquiries have been made, our knowledge of this subject must be pronounced incomplete. For the purposes of the present report no attempt can be made to reconcile the apparently discrepant accounts of the Nepalese system which have been received from officers of adjacent districts. It is stated, for example, that there was no change in the rates of duty levied by the Nepalese Government on the frontier of the Purneah and Darjeeling districts. The Collector of Chumparun reports that the rates of duty which are stated to have been charged by the Nepalese authorities on traders entering Nepal during the year 1888-89 appear not to have been levied with regularity and at one uniform rate all the year round, while in many cases duty was not collected at all. It is reported from one source that the duties were discontinued altogether on the Chumparun border during the year, but this the Collector considers not to be quite correct. The Collector of Mozufferpore states that, with the exception of a duty on hides, the Nepalese authorities now levy no duties on imports and exports. The duty on hides is said to be farmed, but what rate is charged is not known. From the report of the Collector of Bhagulpore, it appears that the Nepalese authorities have, since September 1888, stopped the levying of imposts on trade. It is said that they have amalgamated the tax with the rent of holdings of the cultivators at 1½th anna per rupee. Before September last they used to charge the duty shown in the previous year's returns. The report from Durbhanga shows that duties continued to be levied as usual with certain insignificant changes.

### *Report on the Administration of Criminal Justice in the Punjab and its Dependencies during the year 1888.*

**I**N Sir James Lyall's opinion, much of the alleged increase of crime in the Punjab, of which so much has been heard of late, is due to the rigidity of the present system of recording

crime, and the difficulty of striking off false cases after they have once been brought on the police registers. The figures regarding Kohat are not clear, and a spirit of lawlessness in Rawalpindi, Jhelum, and other less notably turbulent districts, in his judgment "can only be suppressed by firm and sustained action on the part of the District Magistrates."

It is admitted that in some parts of the province "the bulk of the peasantry have no real sympathy with the law as regards certain classes of crime." They understood Jan Larren Saheb's rough and ready methods of repression well enough, and feared and respected them. But under the new rule of the vakcel, they cherish hopes of always being able to evade the letter of the law by some chicane; and then, there are the chances and procrastinations of appeals and re-appeals. It is written:—

From the statement printed at page 15. it appears that the number of offences against property has risen most appreciably in the districts of Delhi, Ludhiana, Gujranwala, Sialkot, Rawalpindi, Bannu and Hazara; while there has been a considerable diminution in Umballa, Jullundur, Amritsar, Mooltan, Montgomery and Dera Ghazi Khan. The worst results are shown in the Rawalpindi District, which during the year stood pre-eminent in nearly every class of crime, and while offences against property are shown as having increased by over 40 per cent., the proportion of cases brought to trial, which was 43 per cent. in 1886 and 32 per cent. in 1887, fell as low as 23 per cent. in the year under review. No doubt offences were over-reported in this district. At the same time the state of crime was very serious, and is not wholly explainable by the series of bad harvests and consequent poverty of the people.

It is recorded that the Honorary Magistrates decided considerably less cases than in 1887; but the District Magistrates more. The proportion of convictions in the Courts of Naib-Tassildars continues to be very low (27 per cent.) While the number of persons punished, 78 430, is almost the same as in 1887, 79,210, His Honor observes that the number of persons sentenced to rigorous imprisonment shows some falling off, being 17,879 against 19,131 in the previous year; while cases in which solitary confinement was awarded have fallen from 12,463 to 11,287. If the decrease indicated a decline in serious crime it would have been matter for satisfaction, but the fact that it is most noticeable in Lahore, Ferozepore, Rawalpindi and Bannu, which are among the most criminal districts of the Province, suggests the doubt that it may be due to insufficient supervision by controlling Courts.

The Registrar of the Chief Court, Punjab, reports that the sentence of whipping is now seldom awarded, and goes on to say, there can be little doubt that the punishment is suitable to more violent forms of crime, and that its extended use would have a wholesome effect on criminal statistics, in which the Lieutenant-Governor concurs, holding it regrettable that this

speedy and deterrent form of punishment should be allowed to fall into disuse.

One more quotation and we have done. Para No. 14 in Sir James Lyall's Resolution runs thus :—

The amount of fines imposed both in District and Sessions Courts shows a slight decrease as compared with 1887. The amount realized, however, shows an improvement, but the decrease in the proportion awarded as compensation is not satisfactory. The free award of compensation in cases where the loss suffered is undoubted, is not only a necessary part of the redress which injured parties are entitled to, but also acts as an incentive to them to look for redress to the Courts, instead of hushing up the offence, or making a private arrangement with the offender.

*Report on the Excise Administration of the Punjab during the year 1888-89.*

THE revenue from Excise for 1888-89 amounted to 5 per cent. in excess of that of the previous year, and that from country spirits in the years 1877-78, 1887-88, and 1888-89 was—

	1877-78.	1887-88.	1888-89
	Rs.	Rs.	Rs.
Still head duty ...	2,54,603	4,04,990	4,47,910
Licenses for sale ...	2,25,518	3,59,724	3,64,026
Total ...	4,80,121	7,64,714	8,11,936

The increased consumption indicated by the figures we have quoted, is largely nominal, and due in great part to the substitution of licit for illicit consumption. For instance, in 1877-78, and for some years later, Deputy Commissioners were so burdened with judicial work, civil and criminal, that few were able to pay attention to Excise management. In some districts illicit distillation prevailed extensively, and in all there is good reason to believe that much liquor was passed out of the Sadr distilleries by the licensed vendors without payment of still-head duty. In the Amritsar district an active policy in the suppression of illicit distillation has resulted in an increase of 17 per cent. in the revenue from still-head duty in the year under report, and in the Lahore district, in which illicit consumption has hitherto been rife, and in which Mr. Walker, the Commissioner of Excise remarks, some improvement has at length taken place,—the income from still-head duty in the year under report is 10 per cent. higher than in the previous year.

The difficulties experienced from smuggling of country spirits from Native States have greatly diminished during recent years, thanks to the co operation of the Punjab States in the matter. The Lieutenant-Governor is glad to notice the

loyal co-operation of these States in the Excise policy of the Punjab Government, and trusts that no efforts will be spared to maintain the improved arrangements which have been introduced in them in compliance with the requests of His Honor's predecessors.

Some 28 distilleries have come under reduction during the past year, or since its close, and 6 more will soon be abolished. The number of distilleries in the province will then be 42, as compared with 82 in 1883-84. A rule has also been issued requiring Deputy Commissioners of districts to give full opportunities for prefeimment of objections against the opening of new liquor shops, and to duly consider such objections as may be made.

The import of Malwa opium from Ajmere has again been permitted, as it was found that shutting off this source of supply encouraged smuggling from Rajputana. The gradual withdrawal of Chandu and Madak licenses is a policy which, we are told Sir James Lyall intends to pursue, and he agrees with the Commissioner of Excise that a falling off noticed in the income from hemp drugs is not to be regretted, if it means decrease of consumption; "but it is not clear that this is the case."

#### *Report on Police Administration in the Punjab for the year 1888.*

THE Report before us is not cheerful reading. The returns again show a considerable increase of crime—exaggerated although it is by the existing system of record. In the Rawalpindi District violent crimes against the person, and serious offences against property, in Jhelum murders, and in Sialkot offences against property, have risen considerably. Kohat shows a serious increase in violent crimes against person and property. Bannu continues to show worse and worse results from year to year, serious offences having steadily increased under all heads.

In Jhelum there were so many changes of officers that strong control "was almost impossible." The question of strengthening the Bannu Police is under consideration. If things are as bad as they are made out to be in Bannu, the augmentation is properly matter for prompt action rather than consideration. The worst feature in the report is held to be the steady increase in burglaries, which have risen from 20,931 in 1887 to 22,074 in the year under review. The comparative failure of the Police in dealing with such cases is one of the weakest points in the criminal administration, and there are some grounds for thinking that the orders recently issued, directing the attention of Police officers to the discretion allowed under Section 157, Criminal Procedure Code, which enables them to avoid enquiry into certain cases, have been too loosely interpreted in several districts.



Cases of serious mischief, and mischief to animals, are on the increase ; and the Police working in such cases "already poor enough, show a tendency to deteriorate still further." Convictions were obtained in only 12 5 per cent. of the whole of the cases instituted. In communication with the Chief Court measures are now being taken for the representation of Government in criminal cases by Government pleaders. The Lieutenant-Governor is of opinion that the District Magistrates do not sufficiently realize the nature of their own responsibilities with reference to the working of the Police, although by Act V of 1861 it is distinctly placed under their *general direction and control*, and that, under the circumstance, they should insist on being informed and consulted about every measure taken by the District Superintendent of Police, which is likely to affect the criminal administration of his district, so that he may, if he sees fit, exercise the powers the law has given him.

With reference to the general complaint of the inadequate number of the Police it is noticed that the practice—repeatedly prohibited by the Chief Court—of serving processes in non-cognizable cases through the Police instead of through the ordinary process-serving agency, still continues in several districts, of which Umballa, Rohtak, Karnal, Gurdaspur may here be mentioned. This is highly irregular, and is unfair to the Police, whose time can be much better employed on their proper duties.

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*Report on the Land Revenue Administration of the Lower Provinces, for the Official year 1888-89.*

FROM a Report on the Land Revenue Administration of the Lower Provinces for the official year 1888-89, we gather that the collections were less than those of the preceding year by Rs. 6,70,823, and less than those of 1886-87 by Rs. 12,38,555, the result of the Burdwan Raj estate failing to pay up a sum of Rs. 4,31,521 due as revenue till after the close of the year, and to a short outturn of the crops in Chittagong, Pooice, Khoorda, Midnapore, Contai and Tamlook. The total number of Government estates, however, have increased during the year from 3,058 to 3,307, and their rental from Rs. 22,32,370 to Rs. 23,08,688. The increase was both in the estates under direct management from 1,395 to 1,575, and of those under farming leases from 1,663 to 1,732. These figures are not explained, and it is not clear why the total should vary so largely between 1887-88 and 1888-89, whereas it only changed from 3,053 to 3,058 in the previous year.

The 1,575 Government estates under direct management have a rental of Rs. 16,08,956, whereas the 1,732 estates let out on farming leases bring in only Rs. 6,99,723, a difference which

is in no way accounted for. There were 262 private estates under direct management, and the total number of estates so treated "is said to be 1803." In Orissa, in the face of the distress "which although much exaggerated undoubtedly existed, it was not considered desirable to press the Surburakars unduly." The miscellaneous revenue collected amounted to Rs. 1,63,232 as compared with Rs. 1,72,982 in 1887-88, and of this sum Rs. 1,17,585 represent "other receipts," i.e. other than fees and fines under certain Acts, the sale of Government estates, and abatements of revenue.

The results of the working of the Roads and Public Works cess are pronounced not satisfactory. With a larger demand the collections were smaller, and the outstanding balances heavier than in the previous year. The remissions where also greater. The total amount of Land Revenue, Road and Public Works and Zemindari Dak cess remitted by postal money-orders, rose from Rs. 2,07,156, sent by 47,248 orders, to Rs. 660,800 covered by 92,402 orders. These figures show that the value of each order rose from Rs. 4 6 to Rs. 7-2.

The Postal Money-Order system of Land Revenue remittance continues to gain in popularity and is undoubtedly a boon to the public. Only in the Cuttack district, where 3,000 cases connected with revenue-free tenures are pending, does any considerable amount of Land Registration work remain to be done. The number of partitions effected during the year was 579, just the same number got through in 1887-88.

*Report on the Administration of Civil Justice in the Punjab and its dependencies during the year 1888.*

AS compared with 1887 there has been an increase of no less than 9,798 suits instituted in Punjab Civil Courts during the year under review, an increase most marked in suits for immovable property. Some local officers attribute it, "with apparent reason," to the recent activity of the Revenue Department which has brought to light many facts that have led to litigation. It is also held possible that the unusually large number of settlements in progress may have some connection with it. Meanwhile, we learn that Honorary Civil Judges disposed of 12,697 suits during the year, an increase of more than 2,000 on the figures of 1887.

We observe that there has been a considerable falling off in the number of Small Cause Court cases disposed of by Cantonment Courts. It is explained that, under the present orders of the Government of India, *junior* Military officers are selected as Cantonment Magistrates, and have to learn their work while they are doing it at suitors' expense.

The appellate work of District Courts presented no abnormal features. Only 21 appeals were pending for more than three months. The average duration of appeals in Divisional Courts fell from 161 to 144 days. Pending files, in the Jhelum, Hoshiarpur, Jullundur, and Amritsar Divisions are still heavy, and thus prevent a satisfactory reduction in the average duration.

There was a substantial increase of work for the disposal of the Chief Court as compared with 1887. We read that at the close of the year under review, though the number of appeals from decrees disposed of was 2,213 to 1,354 in the preceding year, the pending file amounted to no less than 2,054 cases, the total number for disposal during the year being 4,268. At the same time revisional and miscellaneous applications are stated to be increasing. The Lieutenant-Governor, however, has carefully considered the statistics which have been prepared showing the state of work in the Court during the first five months of the present year, and with every allowance for the effect of the new law of appeal, he concurs in the opinion expressed in the Report, that for the proper performance of all its duties, it will be necessary to retain five Judges permanently in the Court.

*Report of the Honorary Committee for the Management of the Zoological Gardens for the year 1888-89.*

**D**URING the year under report, the total income of the Gardens during the period, inclusive of the Government grant of Rs. 19,504, and the opening balance amounting to Rs. 1,286, was Rs. 52,737, against Rs. 45,279 in the previous year. The expenditure incurred reached the figure of Rs. 41,458, against Rs. 43,992 in 1887-88.

2. An income of Rs. 7,950 was derived from donations and subscriptions as against Rs. 1,030 in the preceding year, this large increase being due to a munificent donation of Rs. 5,000 made by the Nawab of Moorsheadabad, in addition to a donation of a similar amount made by him two years ago. The entrance receipts amounted to Rs. 9,452, against Rs. 8,294 in 1887-88, and the receipts from the other sources detailed on the margin aggregated Rs. 15,234 against Rs. 7,684 in the previous year.

The number of visitors who entered the Gardens by paying one anna was 108,301, and that of visitors entering by paying eight annas 1,252, while the number of those who visited the Gardens by paying Re. 1 was 2,020, giving a grand total of 111,573 visitors during the year 1888-89, against a grand total of 108,041 visitors in the previous year.

We are glad to find that a large number of children under eight years of age were admitted free of charge, the best

	Rs.
Rents ..	2,356
Carriage and houses ..	530
Boats and palkies ..	549
Sale of animals ..	8,648
Fête and fairs receipts ..	7,884
Miscellaneous ..	267
Total ..	15,234

*vision d'etre* for such an institution. But why draw the age line at 8?

A lying-in den has been provided for the lioness. The Committee report that the most interesting event that has ever happened in the annals of the Gardens since their foundation occurred during the year, in the birth of a young Rhinoceros.

*Review of the Management of Estates in the Court of Wards, or under the Taluqdars' Relief Act, in Oudh, for the year ending 30th September 1888.*

WHEN the Encumbered Estates Act for Ireland became law half a century ago, a dispossessed and much chagrined Irish squirearchy—living more or less at its ease on prestige, wits, post-obits, and similar remembrancers of by-gone glories—by no means approved of the new legislation that reduced them to the level of ordinary citizens, amenable to debtor and creditor accounts. Following a similar train of thought, the Talukdars of Oudh no more approve of the Relief Act that has been made law for their special case, than did these Milesians squires fifty years ago. Their story, such as it is at present, is methodically recorded in the *Review of the Management of Estates, &c., &c.* for the year ending 30th September 1888.

We glean from a Secretariat review of last year's doings in connection with the N.-W. P. Encumbered Estates, that out of a current rental demand of Rs. 17,82,410 rupees, ninety-seven per cent., with a qualifying duodecimal fraction, were collected. That result is satisfactory enough from a business point of view, although it ought to be connoted in this regard, that collections of arrears were indifferent in Fyzabad. "Progress," however, is said to have been made in the adjustment of the involved accounts of estates situate in Kheri and Rae Bar Bareli, where the districts residuum of balances of arrears was "large," and has been allowed to accrue. Prompt action is therefore recommended as a remedy.

The total expenditure on education amounted last year to Rs. 11,888.

*Annual Report of the Royal Botanic Garden for the year 1888-89.*

WE welcome cordially the hundred and second annual Report on the working and adornment of the Royal Botanic Garden during the year 1888-89. The most important work which was completed during the year was the Palm-House, which we noticed in our October number: an octagon

iron structure, with a central dome, each side 85 feet in length, diameter of the whole 210 feet, and the continuation of the riverside road from Shalimar Point to the Garden

The Garden's collection of dried plants has been considerably added to during the year under review, thanks to some extent to the pacification of Upper Burma, the zeal of Mr. S. Peal in exploiting the Naga Hills from vegetables, and Mr. Talbot's endeavours in the forests of Canara. From Kew were received some Griffithian, a few Wallachian specimens, some Burmese, and a large quantity of miscellaneous and cryptogamic plants. Mr. Curtis of the Straits Settlements Forest Department contributed a set of the dipterocarps of Penang. Calcutta was indebted to Kew not only for Burmese plants, but for several valuable books and pamphlets presented by Sir Joseph Hooker and Mr. W. J. Thistleton Dyer, FRS.

Apropos of the Lloyd Botanic Garden at Darjeeling, we are told that the curator, Mr. Kennedy, has been very energetic in tree planting in the station: a work of no small importance, for Darjeeling is at present one of the barest of the Himalayan stations, and, viewed from a distance, offers a sorry contrast to its superb surroundings there being little to be seen within municipal limits, except corrugated iron sheeting and scrub jungle.

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*Annual Report on the Police Administration of the Town of Calcutta and its Suburbs for the year 1888.*

**I**N his Report on the Police Administration in the Town of Calcutta and its suburbs for the year 1888, we find Mr. Lambert writing:—

Under the Police Act the increase of prosecutions was (*a*) for disorderly and riotous behaviour in the streets, (*b*) for offences against public decency (*c*) for obstructions caused by carts and hackney carriages. These last are far the most frequent. The number of hackney carriages is 2,318, and of registered carts 17,936. In the business centre of the northern quarter of the town, the police are in perpetual conflict with drivers and owners of bullock carts, and, notwithstanding prosecutions, complaints of obstructions are constantly made by merchants and residents. Also under this Act 2,930 persons were convicted for driving without lights and for driving on the wrong side of the road, and 666 persons for bathing in prohibited tanks and at stand posts, generally at the instance of the Municipal authorities. Out of 23,266 persons arrested under the Police Act (street offences), 22,624 were convicted. I regard this large increase in the number of arrests as a matter for regret, and I should be glad if the police could be brought less into contact with a class of persons, who only cause inconvenience, and do not commit crime. To the police themselves the duty of constantly appearing in Court as prosecutors in these cases is very irksome, and has to be undertaken during hours which would otherwise be devoted to rest; and so, when I see that, day after day, the same classes of offences are constantly occurring in the same

locality, it seems a question, whether some increased severity on the part of the Courts would not sensibly diminish these public nuisances, and thereby render police interference less necessary.

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*Report on the Administration of the Salt Department  
for the year 1888-89.*

We are glad to learn from a Report on the Administration of the Salt Department for the official year 1888-89, that the policy which had nearly snuffed it out of existence by Lord Ripon's Government, has not been allowed to prejudicially affect this source of revenue, the incidence of which is unfelt.

The results of the year under review, as compared with the previous year, show an increase of Rs. 41,46,749, or 21·8 per cent. in the receipts, and of Rs. 33,224, or 14·1 per cent. in the charges. There was an increase under all the heads of receipts except "Excise duty on salt," which shows a falling off of Rs. 60,767, or 15·8 per cent. The advance in import duty is due chiefly to the increased rate, which was raised from Rs. 2 to Rs. 2·8 per maund with effect from the 19th January 1888, in which both the ports of Calcutta and Chittagong shared. The increase in the charges is principally caused by larger refunds of Customs duty on salt.

The measures which have been taken during the year for introducing the new patent scales which have been invented by Mr. Kilby, the Superintendent of the Sulekah Salt Golahs, for the weighment of salt from shipboard, have not been touched upon, but it is confidently expected that the adoption of these scales will result in a considerable saving to Government in the annual expenditure now incurred in weighing salt under the old system, and afford at the same time a very great convenience to shippers and others engaged in the salt trade.

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*Administration Report on the Jails of Bengal for the year 1888.*

DR Lethbridge, Mr. Larmore, and Dr. Purves successively had charge of the office of Inspector-General of Jails, Bengal, 1888. Dr. Purves took over charge in November, and is the writer of the departmental Administration Report for the whole year.

We are glad to note that a more liberal scale of diet has been introduced in Jail Hospitals. The average period of detention in jail of under-trial prisoners fell from 17·75 in 1887 to 16·14 in 1888. There must be a larger fall than that, however, before the figures can be pronounced satisfactory. It appears that, during the last twelve years, Rs. 2,46,235 have, on an average, been provided yearly for building new jails, and

improving old buildings, "and it now only remains to build a few more subsidiary jails to complete the substitution of permanent buildings for the thatched sheds which formerly served, in many cases, as jails." The proximity to Darjeeling of the independent States of Nepal, Bhutan, and Sikkim, has rendered it unsafe to incarcerate hillmen with long sentences there any longer; they were, therefore, transferred to the Presidency Jail where unfortunately they fell ill. It is hoped that the climate of one of the Behar Central Jails will agree with them better. Although the most marked feature of the year's sanitation was increased mortality from cholera, the death rate from dysentery and diarrhoea rose from 126 to 155. Remittent and continued fevers were also more in evidence. Effective jail sanitation is still, alas, an unsolved problem.

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*Report on the Jails of the Punjab for the year 1888*

THE number of convicts admitted during the year, excluding transfers, was 21,451 as against 22,470 in 1887—a decrease of 1,019, but an increase on 1886 when the admissions were only 18,674. On the other hand, the average number of *convicts* rose from 10,436 in 1887 to 12,024 in the year under review—an increase of 155 per cent; while the average daily jail population rose from 11,626 to 13,054, an increase of 12 per cent.

This great increase in the average as compared with 1887 is partly due to the number of prisoners who were discharged or whose sentences were remitted during the former year on account of the Jubilee.

Financial considerations, we learn, have hitherto prevented the Government from carrying out a scheme to provide a reformatory for juvenile offenders, but something has been done in this way, by the construction of 50 cells and a workshop, for the isolation of juvenile offenders near the Lahore Central Jail, and 50 more cells will be provided this year if funds are available.

The result of the instruction given to the convicts in the Punjab Jails is described as somewhat poor. But, with the good sense that always distinguishes him, the Lieutenant-Governor is not disposed to favour giving juvenile prisoners education other than of the simplest kind. India has already too many eleemosynary educational institutions—too many *keranees*, but too few artificers.

*Report on the Cawnpore Experimental Station for the Kharif and Rabi seasons, 1888-89.*

CONTINUOUS and excessive rains in July and August ruined the Kharif crops, and spoilt experiments undertaken with a view to a comparison of the yield of different varieties of cotton. Nor was this perverse season propitious to millet and other rain crops, 17 plots of which were sown. The rabi season's experiments were chiefly restricted to wheat, the average outturn of which per acre was 13 instead of 16 maunds. Abnormal rain in February and March ruined all prospect of achieving this. The result of model farm experiment is said to show that deep ploughing is advantageous. Nevertheless, we are apprehensive that all the model farms ever imagined will never induce Indian agriculturists to believe this. Our personal experience in Behar certainly does not lead us to belief in the efficacies of deep ploughing. Besides, deep ploughing would involve the use of a very much stronger and better breed of cattle than 99 out of 100 ryots could possibly afford to keep. Of what *practical* use then are elaborate experiments in deep ploughing? Again, we are told that wollen refuse is the best fertilizer for maize. Granted; but what is the good of tantalizing Hurry, Gope, and Shaik Ibrahim with unattainabilities? Yet, again, what is the use of experimenting with expensive scientific manures, whilst the Indian agriculturist is so miserably poor that he is obliged to use cow-dung, the Nature ordained fertilizer of his jote, as fuel?

*Report on the Financial Results of the Income Tax Administration in the Lower Provinces for the year 1888-89.*

THE total demand for the year was Rs. 42,41,806 as compared with Rs. 38,08,762 in 1887-88, and the net revenue shows an increase of about 5 per cent. against one of about 7 per cent. in the previous year.

In every division there was an increase in the demand, except Patna and Oussa, which suffered from scarcity. The increase ranges from 17·4 per cent. in Calcutta to '03 per cent. in Durbhunga. The considerable increase in Calcutta is principally due to the re-assessment of some Marwari traders, who had been for some time past under-assessed, and to the detection of fraudulent evasions of the law, carried on with the collusion of an assessor who has been since dismissed. It is also explained that the assessment of European mercantile firms, companies, &c., has increased. In six districts the entire demand was collected within the financial year, and in ten others, before the 30th June last.

In Calcutta there has been a marked improvement, not only in the final demand of the tax, but also in the collections, which were about two lakhs and a half over those of the previous year. The decrease in the number of processes issued



also shows that the tax was realized with less friction. These results are highly creditable to Mr. Kilby, who, on the departure on furlough of Mr. G. M. Goodricke, Collector of Calcutta, was, in July 1888, placed in charge of income-tax work in Calcutta in addition to his own duties as Superintendent of the Customs Preventive Service.

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*Vaccination Charbonneuse.*

**B**ABOO N. N. Banerjee, Agricultural Officer to the Government of Bengal, has submitted a Report of his experimental and verifying work in connection with M. Pasteur's system of vaccination, and especially in connection with anthrax in India, a scourge, of the fatality of which in cavalry regiments, newspapers occasionally tell us, but as to the deadly incidence of which amongst cattle, sheep, and goats little is heard. The Baboo who has studied at Paris under M. Pasteur, is fully convinced of the efficacies of his system of prevention and cure, and has evidently done his work *con amore*. The medical profession will no doubt appreciate his eminently scientific report, and even the general reader may find in it somewhat to interest him on a subject of manifest importance. We quote the following warning :—

It must not be forgotten, however, that vaccination can only be justified where large numbers of animals are dying off. It would be most imprudent to introduce vaccine in districts where anthrax is not known to exist, or where the disease is confined only to small areas. Isolated cases do not require the introduction of such an elaborate system. If care be not taken on this score, and vaccination be introduced promiscuously, it will be found that germs of disease will be sown where they do not previously exist.

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*Report on the Financial Results of the Excise Administration  
in the Lower Provinces for the year 1888-89.*

**T**HE financial results of the working of the Excise Administration in Bengal show for 1888-89, an increase of Rs. 26,936 in receipts, and of Rs. 8,407 in charges. The population being taken at 66 millions, the total excise revenue, exclusive of the customs duty on imported liquors was at the rate of 2 annas and 7 pies per head. Settlements for the current year show a decrease of Rs. 9,83,209 as compared with 1887-88. Mr. Westmacott is doing his best to raise the duty paid on outstill liquor ; and in the Resolution now before us, it is written—

These reforms must be persisted in, although, as was anticipated, their immediate result is a considerable reduction in the excise revenue. The Lieutenant-Governor notices with satisfaction that the number and capacity of outstills have been diminished.

Nevertheless Mr. Evans, Mr. Caine, and others of that confraternity will continue to assert that Government is doing its utmost to augment revenue at the expense of its subjects demoralization by means of liquor.

*Inland Emigration for the year 1888.*

**C**HOLERA, and cholera prevention, is the key note of Dr. Comins' *Report on Inland Emigration* for 1888. Para 7 is unpleasantly suggestive of want of proper supervision. It runs :—

In July 1888 the necessity for the disinfection of railway carriages used by coolies was brought to the notice of the Railway authorities.  
Disinfection of coolies carrying railway carriages.

In August 1888 the insanitary state of the coolie depôts at Raneegunge having been brought to the notice of Government, an enquiry was ordered, and Dr. Giegg reported the sanitary arrangements of some 20 to 25 depôts belonging to known persons, and those of many private depôts to be very defective, and the necessity for bringing all depôts, including those for free labourers, under sanitary protection to be urgent.  
Insanitary state of coolie depôts at Raneegunge.

No doubt we do more in the way of sanitation than our forefathers did, but it is as well to be reminded now and then, how much we leave undone.

*Annual Report on the Government Cinchona Plantation and Factory in Bengal for the year 1888-89.*

**T**HIS is an exemplary Report and worthy of high commendation, for it demonstrates to the public that even an officially administered quasi commercial undertaking may be made to justify itself by the radical standard of dividend on capital invested—if only the proper officials, the right men in the right place, are entrusted with its management.

The crop harvested during the year under report was the largest ever taken ; and Dr. King' and Mr. Gammie are able to show, as a result of their operations, a net profit of Rs. 27,843-15-9, in spite of adverse meteorologic changes, and in spite of the extraordinary depreciation of quinine induced by the development of cinchona cultivation in Ceylon.

Specialists and other folk interested in the subject, will find in an appendix to this report, a memorandum by Mr. C. H. Wood on the fusel oil process of manufacturing quinine.

*Report on the Legal Affairs of the Bengal Government for the year 1888-89.*

OUT of eight appeal cases before the Privy Council in 1888-89, only two were decided, the decision in both cases going against Government. As to the results of civil litigation in Bengal, the Legal Remembrancer explains that the low percentage of cases decided in favour of Government is due to the fact, that in 99 land acquisition cases, the Collector's offer was slightly varied by the Judges to whom the cases were referred, under section 15 of the Land Acquisition Act, and consequently these cases appear as decided against the Government. But "this explanation is not altogether supported by the actual facts."

By way of compensation for miscarriages elsewhere, Government was remarkably successful in the High Court, every case having been decided in its favour; not one withdrawn, compromised, or remanded.

*Report of the Archaeological Survey of India. The Shargi Architecture of Jaunpur: with notes on Zafarabad, Sahet-Mahet and other places in the N.-W. Provinces and Oudh.* By A. Fuhier, PH.D., of the Archaeological Survey, N.-W. Provinces and Oudh. With drawings and architectural descriptions by ED. W. Smith, Architectural Assistant. Edited by Jas. Burgess, LL.D., C.I.E., Director-General of the Archaeological Survey of India. Calcutta—Thacker, Spink & Co. Bombay—Thacker & Co., Ltd. London—Triubner & Co. and W. H. Allen & Co. 1889.

THE work before us is a painstaking record of the outcome of much research into a very interesting archaeological garret, and is worthier of perusal than any comments we can offer, as readers of the *Calcutta Review* would doubtless find if they have a *penchant* for such literature.

*Annual Report on Emigration from the Port of Calcutta to British and Foreign Colonies, 1888.*

EMIGRATION from the Port of Calcutta does not proceed at even a fractional part of the rate it ought to—Hindoo child marriages, and consequent pressure on the soil considered. We are, however, glad to observe that, as was anticipated, the demand for Indian labourers has considerably increased owing to requisitions received from the Fiji, Suva and Guadeloupe Agencies, the figures showing a decided advance from 4,625 in 1887, to 7,180 for the year under review.

*Note on the Administration of the Registration Department,  
North-Western Provinces and Oudh, for the year ending 31st  
March 1889.*

A Note on the Administration of the Registration Department N.-W. P. and Oudh for the year ending March 31st, 1889, informs us that at the commencement of the year there were 345 offices open, and at its close 347. No documents were discredited by Civil Courts; and that prosecutions instituted in connection with Registration proceedings were, in every instance, brought to light by, or by means of, Registering Officers.

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*Annual Report of the Lunatic Asylums of the Punjab for the  
year 1888.*

THE Government order for the analysis of the alleged causes of insanity in the Punjab asylums has resulted in showing that Indian hemp, particularly in the form of Charas, has been the most potent one.

In no case has the disease been ascribed to the use of Madak or Chandu, and those interested in the subject may get particulars from this Report.

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*Note on the Administration of the Registration Department of  
the Punjab and its Dependencies for the year 1888-89.*

IN the above Note we find that the total number of documents registered was 84,010 against 82,072 in 1887-88. The most noticeable feature in the returns is, the increase of registered mortgages by agriculturists.

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# CRITICAL NOTICES.

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## GENERAL LITERATURE.

*Report of the Commissioner of Education for the year 1886-87.*  
Washington : Government Printing Office, 1888.

BY far the greater number of those Government Resolutions we have had to deal with in the course of some years acquaintance with literature of that sort, commence with a reproof because the Reports which serve for their texts are not submitted punctually. It may, therefore, be a comfort to some of the present generation of officials who have been censured for dilatoriness to know, that they are not singular in their backslidings ; that even among the most go-ahead of countries, where the utmost despatch is held to be the proper conduct of life, official Reports are sometimes submitted to Government very late indeed in the day. One of these is now before us : the Report of the United States Commissioner of Education for 1886-87. In it credit is taken, inasmuch as its preparation occupied six months less time than its predecessors did ; which, "as a general rule of late years," are not ready for the printers until about a year and nine months after the period of the educational rise or fall of which they tell the story : much of the information necessarily becoming old, uninteresting and unprofitable. Wise in his generation was the English statesman who made it a point never to open his letters till they were a month old, by which time most of them had answered themselves. The application of the moral we leave to such of our readers as are possessed of thoughtful minds. Our present business, however, is to cull from the American blue book, matter such as may be supposed to interest them. We note, then, that seven States and Territories in the Union failed to send any returns for 1886-87 to the Bureau of Education at Washington. The Bureau is, however, full of resource, and reprints instead, the returns of the preceding year—except in the case of New Mexico, for which no full educational data have been received since 1880. Some school teacher (unnamed) protested, it appears, against being called upon to "lay down his life in

a struggle simply to perfect his statistics," and forthwith the author of the Report, who manipulates and "perfects" statistics, chides the offender, and refers him to departmental rules on the subject. 17 States, 7 Territories, and the district of Columbia have a compulsory school attendance law: 21 States and 2 Territories have none. "In many instances, however, the compulsory attendance law, if not actually a dead letter, is practically so." A little further on we are informed that the Report takes no account of the duration of school attendance, but only of the circumstance, that so many pupils *were on the school registers*. The italics are ours.

Column 2, Table 6 of the Report shows the number of school buildings in each State, "so far as reported," and, "in some cases where reports were lacking, the number of schools is given instead." It would appear that Ohio and Michigan are the States in which school libraries have received their greatest development, the former having 191 volumes, the latter 154 for every hundred students in average attendance. These school libraries, universal as they are, seem to us one of the greatest of American educational successes.

With regard to school teachers American Educational law ordains, that "any teacher's position may be occupied at one time by a man, and at another by a woman" Texas has the largest permanent school fund, "both present and prospective." Owing to defective returns, however, the Bureau of Education does not know the amount of its Texan investments, either in the present or the future. We note the following for the benefit of the Indian Forest Department:—

"In compliance with a request made by the Southern Forestry Congress, and in accordance with a beautiful custom that is prevailing in well nigh every State in the Union, I requested the schools of the State to observe the 22nd of February, George Washington's birth-day, as Arbor Day, by planting shade trees and shrubbery on their school-grounds, and dedicating them, with appropriate ceremonies, to the memory of those they love.

At a cost of 4,535 dollars, "as per voucher on file," the General Agent of Education in Alaska inspected the schools under his control in a schooner laden with lumber for school-houses, family furniture, and household supplies. At the Juncan school in Alaska, the first and second chiefs of the Auke tribe and their children, have been amongst the most regular attendants. The two Government schools at the capital of the territory are housed, we are told, in buildings that a thrifty farmer would not consider comfortable enough for his cattle. At Fort Wrangel things seem to be in even worse condition, as will be seen from the concluding part of the following extract: what precedes it is also worthy of attention:—

With regard to the intellectual capacity of the full and half-bloods, Miss McAvoy reports that while the half-bloods learn more easily, the full bloods master their

studies more thoroughly. That while the half-bloods are more nimble of brain, the full bloods have quite as much of it. And that the full bloods learn to speak better English than the half-bloods. She also reports the great interest her children have taken in the Child's Health Primer and the Hygiene for Young People.

The school has been kept in a room in the old hospital. The roof leaks, the water pours in around the windows, and the floor of the front porch has rotted away, and partly fallen in. If the school is to be kept in the same place another season, the building should be extensively repaired.

By far the largest school attendance in Alaska is reported from the Elliott F. Shephard Industrial Building—an average of 100 pupils, boys and girls. It is matter for surprise that there are not more of them, for the whole of them are fed, clothed, lodged, and taught gratis. We note that the General Agent of Education in Alaska strenuously recommends the United States Government to devote one-fourth of the annual revenue of the new territory to local educational uses. Ardent educationalists are seldom practical in their views about the uses and distribution of public money. As it is Alaskans find it no easy matter to extort the wherewithal to live from niggard arctic seas and barren arctic shores. What is to become of them if "high education" is forced on them; and as generally happens in such a case, they are rendered unfitted for horny handed acquaintance with toil. Under the burden of that infliction, the lot of many Bengalee Baboos is hard enough. But even those who fail to secure a Government appointment or a clerkship, live at any rate in a land where Nature is bountiful of good gifts, where houses are not absolute necessities, and clothes are supererogatory. Whereas the highly educated Alaskan will find no Government appointments, no clerkships for which he can become an *unmedvour*: no openings for trade even. To him Nature turns her iciest, least helpful, most obdurate side. A pitiless climate makes the shelter of a house, the wearing of warm clothes, the consumption of much food indispensable to his existence; while the fishing trade, the boat-making trade, whatever means of earning some sort of a livelihood there is on that arctic shore, he will find appropriated by the uneducated or the half educated—men very much better adapted to the situation, very much more practical and useful than he dare hope to be.

Under the heading *New Legislation* we discover that Colorado has provided for—

*Temperance Instructions.*—The nature of alcoholic drinks and narcotics, and special instructions as to their effects upon the human system, in connection with the several divisions of the subject of physiology and hygiene, shall be included in the branches of study taught in the public schools of the State, and shall be studied and taught as thoroughly and in the same manner as other like required branches are in said schools by the use of text-books, designated by the Board of Directors of the respective school districts, in the hands of pupils where other branches are thus studied in said schools, and by all pupils in all said schools throughout the State.



The State of Georgia has ordained that "no teacher receiving or teaching white and colored pupils in the same school, shall be allowed any compensation at all out of the common school fund." Time has planed away the feud between Northerners and Southerners, but has not been able to surmount the difference between white and black apparently. On its own showing the Washington Bureau of Education does not get on with the Mormons any better than does the Government of the United States. Mormons decline to let their children attend gentile schools. Gentile educational authorities insist that they must submit to educational law; and they—won't. Passive resistance is sometimes efficacious. An education committee in Kansas, amongst other questions, enquired of county Superintendents, "How many school officers in your county visit their schools?" And from a careful compilation of replies to the question it would appear that out of some 8,000 of these officers, not more than 1,300 deemed it incumbent on them to discharge such a very plain duty. When asked by the aforesaid committee—"How many officers are virtually illiterate?" the gentlemen interrogated determined the average at more than one-fifth.

Kentucky's enterprise in pursuit of education is thus naively described :—

The Kentucky report of 1884-86 shows that the condition of the public schools of that State has been one of almost uninterrupted progress, and that the prospects for continued improvement are very encouraging.

The greatest drawback arises from (1) a want of interest and appreciation, which is very decidedly marked, in some counties; and (2) a lack of funds, caused in part by this want of interest, and in part by the slender resources of the people. Hence proceeds the indisposition or inability in some sections to raise local revenues to supplement the State grants, which results in turn, in the continued existence of poor, even wretched school houses and the employment of underpaid teachers. 'When they [the trustees] try to employ a first-class teacher and ask the district for a tax or a subscription, they are met with the following reply from the patrons: 'I thought it was to be a free school! I paid my taxes; that is all I'm going to do. The public money pays the teacher \$20 a month; that's more than I can get working on a farm. You needn't say anything more to me. I am against the tax.' The trustee leaves in disgust; and the energetic, thorough teacher, with an ambition, is soon on his way to other more appreciative States, or to a more remunerative profession."

About the uses, and per contra, the undesirability of corporal punishment in schools, American schoolmasters and supervisors of schools hold contrary opinions. In some States rod and cane are by State law interdicted, the only permissible punishments being suspension and expulsion. The superintendent, Jersey city, N. J., considers that parents should be the responsible parties in any question of sparing the rod and spoiling the child: "no law forbids *their* use of the rod," he grimly suggests.

The American school for classical study at Athens has completed five years of the work it was set to do, and can boast

of an increase in the number of its students, and every prospect of increased usefulness. The Government of Greece is represented as taking a warm interest in the scheme. There is certainly room for much leaven of culture, sweetness, and light in the United States.

*The Indian Church Quarterly Review.* Edited by the Rev. A. Saunders Dyer, M. A. The Oxford Mission Press, Calcutta.

TO the *Indian Church Quarterly Review* for October, a Missionary contributes an article on *Evolution in Christianity*. From his stand-point, he argues that God has so ordered his Church, that it is, as to its disposition in India, designedly built up from the lower social strata, and that divine wisdom is in this made conspicuously manifest on its utilitarian side, inasmuch as the lower castes are naturally more clever, have radically greater intellectual abilities than Brahmans have; and, broadly speaking, Brahmans are taken to represent the superior castes.

But I have seen, too, many cases of lower caste boys and young men excelling Brahmin boys in every department of knowledge even in a second generation of Christians, and so many cases of native Christians equalling and excelling Brahmans in collegiate education, being the third or fourth generation of Christians, not to believe that with education as general in the Christian community as it is now (and there is no reason to suppose it would ever be less) the intellectual power which has been latent from disuse for so many centuries would appear, and native Christians would hold their own, and more, in intellect.

The writer further holds that there is less trickery and deceit among the lower castes than among Brahmans. Mainly, it would seem, because the latter are not so "plucky" as are tribal robbers, chowkeydars, or pariah habitual consumers of strong drink. Strangely enough, no analogy in support of this argument is drawn from the history of the Goths and Scandinavians, their conquests and supremacies. Nor is reference made to the extermination of the red man in America by the white man with the aid of fire water. Or to the colonization of Australia and New Zealand on similar Missionary lines.

For our part we more than doubt whether there is standing room for much choice of differentiation in judgment as between the morality of men of the higher and the lower castes in India. In both cases it is traditional yard, foot and inch rule. Of "pluck" as an instinct, we take it that the higher castes have quite as much—and quite as little—as the lower, although possibly the ignorance of shere animalism may give some of the latter somewhat of an advantage on this score.

A Bengali layman, dealing with recent attacks on Missionary

work, opines that the social connection between the native Christian and the European Missionary is not an unmixed good. He points out that—

The poor Hindu who earns his five rupees a month never thinks of wearing a shirt or putting on shoes, but to the poor native Christian this is a *sine qua non* at least on Sundays when he fears he may find himself seated next to the European lady at Church. This solitary Missionary lady who attends the native Church purely out of a kind motive is the poor native Christian's evil genius. He would not hesitate sitting next to a Hindu princess without shoes or a shirt, but he would rather stay out of Church on Sundays if he could not afford to buy these articles of dress. Missionary work is, and must for a long time be, so intimately connected with European social life, that it is very difficult to avoid this unequal combination, which must be disadvantageous to the native Christian community, however useful the example of European Christian life may be to the native Christians in forming their character and habits.

He is also severe on the association of Christian and Hindu boys in schools, and believes that as a rule, the cleanest looking, most neatly dressed, most free from prejudice among Hindu boys, are morally the most corrupt, and that the Christian boy "finds these the most companionable, being to all appearance most like himself," the obvious moral of which would seem to be a revision of the canon that "cleanliness is next to godliness," and that being set free from prejudices, leads to moral corruption.

Mr. W. J. Bird contributes a very readable paper, entitled "Facts and Fancies about Bengal," and the Rev. C. Swynerton continues his pleasant reminiscences of Ceylon.

*The National Review*, September, October and November 1889.  
London: W. H. Allen & Co., 13, Waterloo Place. S. W.

TO the *National Review* for September, Mr. H. G. Keene, the never idle, always readably companionable ex-Judge of Agra, contributes an article on "The Age of Reason:" a running commentary on some of the literary aspects of the great French Revolution centenary which was being celebrated in Paris while proofs of Mr. Keene's article were passing through the press. There are other readable articles in the number, but which do not press for notice. The number for October is, however, full of thought-suggestive matter. We have an article on that novel socialist menace, "The British workman" of to-day; another on the Education of the Blind and Deaf, by the Secretary to the late Royal Commission on the subject, and on that endless Tregeagle sand rope, the Currency question. Apropos of the latter, Esther Delaforce, writing about latter day Womens' Rights, sensibly chooses to write for *jean qui rit*, not *jean qui pleure*.

In any case, and under any circumstances, the possession of a vote cannot possibly affect the relations between the sexes, and it is very

ill advised to disseminate that in wishing to monopolise or share the franchise either one sex or the other has any wish to disparage each other. Man certainly is a very underiated animal; he is able of being far superior to what he is, far nobler, far better in every way, and it is woman's fault that he is not all that he should be. All the leaning here displayed towards man, however, let it be thoroughly understood, does not apply to lower animals with human form, but simply and absolutely to the ideal perfect man, with a man's body, but a true woman's mind and heart.

Anent womans' rights again, J. D. Hunting has a paper concerning the presently vexed question—Ought Women to Smoke? The conclusion arrived at is—on the whole, No. On grounds of health, No.; for “stimulant means, abstracted, not added force;” and narcotic poison acts by a system of assimilation. Its toxic influences are not “transitory as those of alcohol.” However women are held to blame, inasmuch as they encourage the habit of smoking in men; “like to see men smoke;” and it is from a selfish motive, that the husband who is permitted to smoke *ad lib* by his own fireside, will not want to go beyond that safe haven—to club-land or elsewhere—to indulge unproved in his pernicious habit.

It is significant of the days we live in, that Colonel Olcott gets space in the *National* for an article on the Genesis of Theosophy. In view of recent controversies on the subject of Indian Missions, we subjoin an extract worth considering:—

But granting all to be true that has been said by the Indian Bishops and Missionaries about the adverse result to their evangelizing of the spread of our ideas what is the explanation? Simply this, that we have shown the true spirit of religion; have proved the identity of Esoteric Hinduisim, Zoroastrianism, and Christianity; have scientifically examined the meaning of the old Oriental myths, creeds, ceremonies and philosophies, and thus won back to the ancient cults the intellectual allegiance which had been weakened or destroyed by an exclusive contemplation of their dead letter exotericism. At the same time the Bishops and Missionaries have continued to preach bald exoteric Christianity to men cleverer than themselves in detecting sopistry and scientific unreasonableness. The bright informing soul of the Christian doctrine they have neglected to preach, and so the result they now deplore was inevitable in the natural order of things. But for the fear of being thought uncharitable, I might strengthen my case by showing how the worldly, selfish lives of any European ecclesiastics neutralize any influence they might have had upon the “heathen” by their eloquence, scholarship, or persuasiveness. A Bishop or Missionary driving about his family in a carriage, with his coachman or *sais* in livery, and living in a fine house, with plenty of servants, is not a seductive spectacle to nations trained to connect celibacy, asceticism and poverty with the character of the religious teacher. Their Sankaras, Tookarams and Ramanujas did not play lawn tennis, but they could show men how to learn the Divine Wisdom.

In reply to Colonel Olcott's apologia for theosophy noticed above, we have a paper by Mr. Legge in the November issue,

the conclusion of which we cannot resist the temptation to extract in this place :—

It is a hundred years hence. Theosophy, like an overflowing mountain lake has broken through all limitations, and spread to the four quarters of the globe. There are no more priests, for that class, whose interests make them rebel against every work of religion, has been abolished. In their place there reigns everywhere the Theosophical Society, still hard at work upon the formation of a nucleus of a Universal Brotherhood and the investigation of the unexplained laws of Nature. And in a village of regenerate India there sits a mother, with a little child at her knee. The child's eyes widen as his mother tells him how the good Brothers went to America ; how they chose out Madame Blavatsky, and how she called to herself Colonel Olcott ; how these two, by command of the Brothers, founded a Society for the study of old religions ; how they journeyed to India, hoping only to find peace for their studies, and how, at their approach, the withering creeds of the Old World shrank and died. "But, mother," says the eager child, as she finishes her weird recital, "Where are the good Brothers now?" "Hush ! my child," the mother answers. "Our wise founders knew them, but they did not ask anyone else to believe in them."

Years pass away, and the child has become a man, a man of a sceptical and inquiring mind. He reads in the Encyclopædia of the Society a reference to Christianity as the creed which, starting from very small beginnings, spread over half the globe, only to be crushed by the young might of a newer faith ; and, as he reads, he resolves to know more of this strange yet dead religion. At last he finds a book which gives him the teachings of Christianity, not the Christianity which seeks to make a man a better Christian through a society organized to oppose it, but Christianity such as we have it in England ; and as he scans those doctrines, few and simple as compared with the wild and fantastic dreams of Gnostic or Theosophist, as he weighs those proofs of their truth which thousands of the best and brightest intellects of the civilised world have been content to accept as sufficient, can we wonder that he mutters to himself, "This faith is less hard to believe than Theosophy?"

It is refreshing to read Mrs. Andrew Lang's trenchant exposition of the bourgeois vulgarity of Richardson's conception of virtuous morals and manners as set out in his longwinded and much belauded novels. As to the most famous of them, *Sir Charles Grandison*—

Nowadays it is as little read as the *Faire Quene*, and people would cease to talk so glibly of "Grandisonian manners," if they had any idea of the gaudy wooden things they really were, but they refer to Richardson's intention of creating a perfect man rather than to his execution. Really good manners are not always thrusting themselves on the attention, and those who possess them are apt to talk less of themselves than Richardson's model gentleman, and to dislike to live in the atmosphere of flattery which was natural to him. Richardson could not understand a man living on equal terms with his fellows. He must, in some way or other, be a Sultan, as Richardson himself was to his little female court. Had he been more a man of the world, and mixed with other men, had there been more of give and take in his life, his novels, as well as himself, would have gained immeasurably.

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*Catalogue of Hindustani printed books in the Library of the British Museum.* By J. F. Blumhardt, teacher of Bengali at the University of Oxford, and of Hindustani, Hindi and Bengali at University College, London. Printed by order of the Trustees of the British Museum. London: Sold by Longmans & Co., 39, Paternoster Row; B. Quaritch, 15, Piccadilly; A. Asher & Co., 13, Bedford Street, Covent Garden, and Trübner & Co., 57, Ludgate Hill. 1889.

WE have to thank the trustees of the British Museum for a splendid catalogue of the Hindustani printed books in their library, which is the work of Mr. J. F. Blumhardt, teacher of Hindustani, Hindi, and Bengali at University College, London, who has for several years past been engaged on similar work in the Museum Library. The catalogue comprises: (1) purely Hindustani Works; (2) translations of such works into English or other European languages; and (3) polyglott works, in which occur Hindustani translations, paraphrases, or commentaries on Arabic, Persian, or other originals. Dictionaries and grammars written in English, for English readers, have been excluded. In his preface Mr. Blumhardt writes:—

A few remarks are necessary as to the arrangement of author's names, and more particularly of Muhammadan authors. Fortunately the same difficulty does not present itself in dealing with Muhammadan names, as is met with in the case of Hindu authors, more especially of English-speaking Bengalis, who would fain assimilate their names to the English forms of Christian and surname, by adopting the caste name, or '*upādhi*' as the latter, and making the personal name generally a compound epithet, stand for two distinct Christian names. The impossibility of adopting this system of nomenclature for cataloguing purposes has been fully dealt with in the compiler's preface to the "*Catalogue of Bengali Books*," and needs no further notice here. This unworkable expedient of Anglicizing Oriental names is happily not to be found in the case of Muhammadan authors of India. Their names usually consist of the personal name by which they are always known, to which are added the patronymic, and Nisbah, or name denoting the place of birth or residence, trade, or religious sect; as—RAHIM BEG ibn BAKIR BEG *Khairābādī* NUR AHMAD, *Chishtī*.

A Muhammadan author, therefore, if a native of India or of Persia, is entered in the Catalogue under his personal name, precisely as it occurs in the book. His patronymic and Nisbah have been added only when it has been considered necessary to do so, in order to distinguish between two or more authors of the same name, as for instance in the case of common names, such as Ismā'il, or Muhammad Husain, or whenever an author is well known by these names; as—'ABD al HAKK, *Dihlavi*. The patronymic has been printed in the same type as the author's name and the Nisbah is added in italics.

Poets invariably take a Takhallus, or poetical name, in addition to the forms noticed above, and are very frequently known by the takhallus alone, the personal name being lost sight of; the poet Muḥammad Rafī, for instance, being always known as Saūdā. In consequence of this it has sometimes been by no means an easy task to ascertain the real name of

a poet, when his takhallus only is mentioned in the book, and that perhaps only in an incidental manner in one of the concluding verses of the poem. This difficulty is necessarily greatly enhanced when the takhallus adopted happens to be a popular one, as Fakir.

*A Theory of Lunar Surfacing by Glaciation.* By S. E. Peal, Member of the Liverpool Astronomical Society. With Illustrations. Calcutta: Thacker, Spink and Co, London: W. Thacker & Co., 87, Newgate Street. 1889.

WELL known as an amateur publicist, Mr. S. E. Peal, of Sibsagar, Assam, comes now before the public with a theory of "lunar surfacing by glaciation," through the medium of a pamphlet published by Messrs. Thacker, Spink & Co. There are several illustrations, and they are commendably well executed.

With reference to lunar surfacing by glaciation, Mr. Peal thinks that "instead of being a hopeless enigma from pole to pole, it seems as though future students may possibly be able to read the history of each formation in turn, or even get a glimpse beneath the surface into the past. It is to be hoped so.

*Colburn's United Service Magazine, with which is incorporated, the Army and Navy Magazine* For September, October and November 1889. London: W. H. Allen & Co., 13, Waterloo Place, S. W.

REEFRRING to proposals that have been lately made to raise Eurasian Regiments for service in India, *Colburn's United Service Magazine* for September suggests that the best way, indeed the only way, to avoid the difficulties and jealousies that would "attend the raising of regiments of half-castes," is simply not to raise them at all. Smart writing, perhaps, but impertinent in every sense of the word—and ungentelemanly as well as offensive. The Editor would do well to make himself acquainted with the story of 1857, and of the gallant conduct and good services of the Eurasians who fought side by side with Englishmen in that death struggle. Or going further back, let him study the life story of Skinner, of Skinner's Horse, and of many other brave and "cunning" Eurasian soldier.

There is an article however in the same number well worth reading, entitled "Impressions of a Visit up the East Coast of Africa." It is by Godfrey Robinson.

In the same magazine for October, Major R. H. Fraser gives a circumstantial account of "How we prevented a Suttee in 1882;" and ends it by telling us that his tale is untrue.

"Dolly and her Pensioner" is a story pathetically sad enough, but much more to our liking.

In the number for November we have a concise scholarly account of the way in which Calais and other English possessions in France were lost to the English in Queen Mary's time. A depreciatory account of General M. D. Skobeloff's military career is worth reading as a side light on history. Its author is an old comrade in arms of Skobeloff's—one Vasili Vassalievitch Verestchagin, whose memoir has been translated from the Russian.

*The Indian Magazine* September 1889. Issued by the National Indian Association in aid of Social Progress and Education in India. London: Kegan Paul, Trench & Co., Bristol: J. W. Arrowsmith.

THE *Indian Magazine* for September contains a note on social reforms in Rajputana, a sketch of an English boarding school for girls, and a readable *résumé* of a pamphlet by Mr. Dadabhai Naoroji on "The Parsees and their Religion." It concludes thus:—

I think one important reason why they occupy so large a space in the mind of the world, is that influence of their religion which imposed upon them love of God, love of truth, of charity in all its senses, and an earnest striving after doing some good, as the mission of life, and which embraced their morality of life in pure thought, word and deed.

How does that accord with the revelations made in the Crawford case?

*First and Fundamental Truths, being a treatise on Metaphysics.* By James McCosh, D.D., LL.D., Litt.D. Ex-president of Princeton College. Author of "Method of Divine Government," "Laws of Discursive Thought," "Psychology of the Cognitive Powers," "Psychology of the Motive Powers," "Realistic Philosophy." New York, Charles Scribner's Sons, 1889.

IN the earlier years of the present century, and for many years, Dr. Thomas Cooper was President of the University of South Carolina. In that capacity he was asked to teach and preach metaphysics "having devoted much more time to that very unsatisfactory study than most men. So much so, as to be fully persuaded that it is not worth the time required to be bestowed on it." This entirely concurs with our own opinion, and we will only say, with reference to Mr. McCosh's attempt to build a temple in the air, that "if the mind does not assume and start with things, it can never reach realities by any process of reasoning or induction." Quite so, and,



it is so with Mr. McCosh's book, for it grants every thing, in page upon page considers everything, and ultimately resolves for us—nothing : No “first and fundamental truths,” no new lights, nothing but disappointments, and disillusion. A philosophy of despair *may* have its uses, but we fail to discern them.

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*Reminiscences of Behar*—By an Old Planter.

THIS is a history of the past in Behar, well told and bearing evidences of the narrator's presence at the various events it describes. Looking at Behar in the present day, with its Railways and Telegraphs, it seems difficult to realize that men should now be living who took part in the life described in this very interesting little book. Yet it is not so long ago since the railway made its first appearance in North Behar. But a few years ago Hajepore was the gate of the Northern Indigo Districts, and was the scene of many a jovial evening, either at the house of the Sub-Divisional Officer, the Opium Agent, or of one who must doubtless be known to the author of the book. For he must have visited Hajepore if he ever left Tihooot. The book is written in a chatty, easy tone, and to any old Behari must bring up many pleasant memories. The chase, the race meet, the Fouzdari case all find a place. In the description of the Mukhtear or attorney one can call back, say, Ram Tohul Lal with his spectacles and his stutter. We expect more from the author who must have more modern Behar at his finger's ends. The history of J. B. and his negotiations with the Khan. The “Mussafr” of now, alas, pleasant *memories* only. The many incidents connected with the Famine. They surely are not destined to be buried in silence, whilst our author can wield a pen. We look for a further instalment of these *Reminiscences*. In the meantime, however, we welcome this contribution to the social history of Behar, and strongly commend it to those who wish to know what the Province was like when “All the world was young.” It would make an admirable book for boys. Full of adventure, without yarns of an unbelievable nature, it would interest any young man coming out to this country. The times, like most of the people described, have passed away. The reviewer is old enough to remember their last days, and to look back with regret (from a social point of view) to the days when the railway whistle was unheard near Shapore Murcha, and when locomotion was carried on by means of friends' horses, oft times strange beasts to drive. There was some excitement in a journey then, as you never knew into what ditch you were going to be spilt. Even the excitement of a collision is denied one on the T. S. R. Trains go so slowly that they would

almost instinctively stop if a cow appeared on the rails, much less an approaching train. We cordially welcome our author, and hope for something further from his pen.

### *Anglo-India.*

THIS is a new weekly paper started in Calcutta. When we say that Mr. Furrell, once editor of the *Englishman*, is at the helm, we have said enough to ensure able editing. The first number certainly bears out the promise of the Prospectus which heralded the new journal. Well printed in every way, well got up, the paper presents an attractive appearance. Nor does the letter press fall short of the outward appearance of the journal. It is all that a weekly should be. The articles are well written, and there are lighter subjects for those who care for narrative and light reading. All the news of the week is reproduced in a readable form. The Editor tells us that the paper has been objected to as tending to breaking the Sabbath. He has sufficiently disposed of his objector, but, to our mind, one of the great merits of the paper is, that it comes in the Mofussil on a day when the ordinary daily paper does not arrive. We wish the new venture every success. It is a move in the right direction, to shew to the public that there is a class of the community who have rights as well as that which is always thrusting itself forward.

### ACKNOWLEDGMENTS.

- The Law of Testamentary devise as Administered in India or the Law relating to Wills in India with an Appendix.* By G. S. Henderson, M.A.
- History of Higher Education in Southern Carolina with a Sketch of the Free School System.* By William Allen and David E. Spencer.
- A Supplement to the Anglo-Indian Codes, 1887-88.* By Whitley Stokes, D. C. L.
- The Fauna of British India, including Ceylon and Burma Published under the Authority of the Secretary of State for India in Council.* Edited by W. T. Blanford. Fishes.—Vol. II. By Francis Day, C.I.E., L.L.W., etc., Deputy Surgeon General, Madras Army (Retired).
- A History of Civilization in Ancient India, based on Sanscrit Literature.* By Romesh Chunder Dutt.
- Diplomatic Fly-sheets,* for July and August 1889.
- High Wages.* Respectfully dedicated to the working men of the United Kingdom.
- The General Clauses' Act, being Act I of 1868, with Notes and Appendices.* By Kisorilall Haldar, B. L.
- Review of the Trade of India in 1888-89.*
- Notes on the Administration of the Registration of the N. W. Provinces and Oudh.* For the year ending 31st March 1889.
- Accounts of the External Land Trade of British India.* For the three months April to June 1889.

- Notes on the Administration of the Stamp Department of the Punjab and its Dependencies.* For the year 1888-89
- Report on the Administration of the Customs Department in the Bengal Presidency.* For the Official year 1888-89
- Annual Report on the Stamp Revenue Administration of the N.-W. Provinces and Oudh.* For the year ending 31st March 1889
- Notes on the Administration of the Registration Department in Bengal.* For the year 1888-89.
- Accounts of the External Land Trade of British India.* For the four months April to July 1889.
- Annual Statistical Returns and brief notes on Vaccination in Bengal.* For the year 1888-89
- Trade and Navigation Accounts of British India.* For the month of September 1889, and the six months, 1st April to September 1889.
- Tenth Tour of His Excellency the Right Honble Lord Connemara, G.C.I.E., Calcutta, Darjeeling, Allahabad, Simla, Quetta, Kurrachee and Bombay.*
- Return of the Railborne Trade of Bengal.* For the quarter ending the 30th June 1889.
- Report on the Railborne Traffic of Bengal.* During the year 1888-89
- Annual Statement of the Trade and Navigation of British India with Foreign Countries, and the Coasting Trade of the Several Presidencies and Provinces.* In the year ending 31st March 1889
- Report on the External Land Trade of the Punjab.* For the year 1888-89
- Trade and Navigation Accounts of British India.* For the month of October 1889, and the seven months, 1st April to 31st October 1889.
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ART. I.—THE LIBRARY OF THE COMMITTEE  
OF FOREIGN LEGISLATION IN PARIS.

THE issue, in January 1889, of a revised Catalogue of the Library of the Committee of Foreign Legislation in Paris, is an important event in the history of the progress of Comparative Jurisprudence. The library contains more than 4 000 works, relating to the laws of all the civilized countries in the world, and the continued and sustained efforts of the Committee and its worthy President, M. Leon Aucoc, have given a great impetus to the study of Comparative Law, the results of which will inevitably exercise a considerable influence on English law and legislation. The following is the Report submitted by the President to the Keeper of the Seals, Ministry of Justice, on the 23rd February 1889

MR. KEEPER OF THE SEALS,

The Committee of Foreign Legislation has the honour to inform you of the state of its labours on the 1st January 1889, and to present you with the second edition of the catalogue of the library which it has established

The task entrusted to the Committee by the ordinance of M Dufaure, the Keeper of the Seals, who founded it in 1876, had a double object: firstly to make a collection of the laws of all countries; and secondly, to translate and publish the more recent codes of other countries and especially those which might appear to be the most interesting by reason of their scientific value or their practical interest

The Committee has devoted its utmost energies to the accomplishment of this two-fold task. It believes that it has fulfilled the expectation of its eminent founder, and has made a good

use of the annual grant given to it during the last twelve years by the Chambers, who recognized the benefits which the new institution was calculated to confer. About three years after its creation, the Committee formed a library which even then contained more than 5,000 volumes, and was able to publish the first edition of the catalogue. But the experience which had been acquired, and the relations which had been organised with foreign countries, and which were continually being extended, brought about a new development of the library, and made the Committee feel the necessity for a new edition of the catalogue.

A comparison of the new edition, which we place before you, with that which was published in 1879, clearly shows the considerable additions to the vast collection of foreign law which the Government has placed at the disposal of the public. The catalogue of 1879 contained 1,664 works comprising nearly 5,000 volumes. The new edition contains 4,062 works, comprising more than 18,000 volumes. These works are written in more than thirty languages, not counting dialects. In fine, more than 250 different sets of laws are represented in our collection. In it may be found the laws of Australia and of Ireland, those of Russia and of the Cape of Good Hope, of Japan and of La Plata; there is hardly a blank to be found. Certain republics of South America are only indicated, so to speak; of all the English colonies, New South Wales is the only one of which we have nothing. In short, one can only wish that the place kept for certain laws were more completely filled. Nevertheless, we are able to-day to present you with a catalogue of the whole, no part of which has been neglected.

We owe our acquisitions partly to our systematic purchases and to the vigilance of our librarians, who always keep themselves *au courant* with the newest publications; and partly to the gratitude of authors who present us with the works, the preparation of which has been facilitated by our library; and we are, above all, indebted to the liberality of foreign Governments, with whom we have established a regular system of exchange, to the kind help of the Diplomatic Service, and to the zeal of our official correspondents at the different consulates.

We may be permitted here to offer our thanks to the Ministries of Justice of Belgium and Norway, to M. Ruchonnet, Government Councillor and Chief of the State Department of Justice and Police at Berne and to the following gentlemen; M. Hanauer, the present Confidential Adviser and Director of the Imperial Office of Justice in Berlin; M. Dessau, Head of the Office of the Danish Rigsdag; M. Antequera, Secretary to the Commission of Codification at the Ministry of Pardon and Justice in Madrid; M. Ruppert, General Secretary to the Government of the Grand-Duchy of Luxembourg; the Chief of the Department of Codification attached to the Council of the

Empire in St. Petersburg ; and lastly, to M. d'Olivecrona, Judge of the Supreme Court of Stockholm.

We are also especially grateful to the Colonial Office in London. At the request of M. Royer, Keeper of the Seals, Sir M. Hicks Beach, Secretary of State, asked the Governors of British Colonies and possessions to send us collections of their legislative acts. We have thus been able to form as complete a series as that which exists in London.

You will easily understand that the catalogue, which I have the honour to offer you to-day, has required a long preparation. Resolved upon in principle by an ordinance passed in 1883 by your predecessor, M. Martin-Feuillée, its completion has been retarded by the constant additions to our collection, which it seemed a pity not to make known in their entirety. Undertaken by M. Amiaud, Joint Secretary of the Committee, now Deputy to the head of the Office of the Ministry, with the active assistance of M. Gonse, then Director of Civil affairs and of the Seal, and now Judge of the Court of Cassation, it has been revised by several members of the Committee. M. Jules Preux, who was appointed librarian in 1885, and M. Emmanuel Reibaud, his assistant, have lent their constant aid in this work, and have shared with M. Amiaud the trouble of correcting the proofs and preparing the tables. The President of the Committee, who considered it his duty to revise the final proofs, must acknowledge the zeal and ability of all his fellow-workers. He is bound also to point out the skill with which the National Press has assisted the execution of this particularly difficult work.

The new catalogue is not a mere supplement to our catalogue of 1879, which was drawn up with great ability by M. Georges Louis, now Sub-Director at the Ministry of Foreign Affairs and member of the Committee ; it has been entirely recast. We were of opinion that it would be far better to renew entirely the work done ten years ago, and so to present a complete work of symmetry and method, which should supersede and take the place of the preceding edition. We have also considered it better to modify the plan adopted before.

The present catalogue includes a general division, in which are collected the philosophy of law, the legislative measures of ancient and mediæval times, ecclesiastical law, as well as political economy and statistics. We have intentionally restricted this preliminary division to works which cannot be ignored : our library is of the present time rather than historical, and we have been unwilling to add to the domain (already so vast) of pure law, the extensive domain of political sciences. The first part of the catalogue is devoted to public and private international law ; the second to comparative legislation ; the third, which is the largest, to existing laws. The different

countries are arranged in alphabetical order. A very small place has been given to French law, as we did not consider it would be useful to make a collection of works, which one is sure to find in the National Library, or in that of the University of Law, or in that of the Bar : but we have been anxious to make as complete a collection as possible of Algerian and Colonial legislation.

Finally, the catalogue is completed by an appendix containing works of reference and dictionaries, and by three tables. One, the table of contents, is placed at the beginning of the volume ; the second, an alphabetical table of the names of authors, and the third, a general index are placed at the end. The most important documents concerning the history of the Committee have also been added.

Speaking broadly, the catalogue does not contain works, whether periodical reviews or reports of laws, of a later date than the 31st December 1887. As for treatises and commentaries, those which have appeared in 1887 and 1888 have, with a few exceptions, been excluded. The new catalogue is not, then, a strictly accurate description of the works which we possess at the present moment. Among the most recent publications with which we have been enriched, and which we have been prevented from including by the necessity for not altering the setting up of the pages, must be mentioned as the most important, the scheme of a Civil Code for the German Empire, the Spanish Civil Code, the Civil Code of Montenegro, and various Mexican Codes. To our extreme regret we have been unable to include in this catalogue a large collection of codes and legislative documents of British India, which we owe to the generosity and the very great kindness of Mr. S. Harvey James, Secretary to the Government of India in the Legislative Department, with whom we have had the good fortune to be placed in communication, thanks to the introduction and good offices of Mr. H. A. D. Phillips. Under Secretary to the Government of Bengal. Nor must we omit to mention, among our new acquisitions, the laws and Parliamentary papers of the State of Pennsylvania, which we owe to the courtesy of M. Egle, librarian of that State. Lastly, M. Appert, Professor in the Paris University of Law, has obtained for us from Japan a very interesting collection of Japanese laws in the language of the country. These new correspondents, as our older correspondents, may claim our warmest gratitude.

We are firmly confident that, thanks to them, and thanks to the constant aid of the consulates and public powers, our work, so well commenced, will not rest here. We hope to see our collection increase from day to day. Moreover, the Committee proposes, with your approval, to publish every year a supplement to the present catalogue. If the first supplement

were to appear to-day, it would include not less than about 700 works received or purchased in 1887 or 1888. We hope also that the publication of this catalogue will lead to a marked increase in the number of readers who profit by our library.

It is already very much frequented by *savants*, who no longer publish any works of law without some notice of the laws of other countries, by professors, by students who are preparing their thesis for the degree of law, by advocates, notaries, and bankers, who are seeking for accurate legal information, either for the purposes of their business in foreign countries, or for suits pending before French tribunals, in which foreign law has to be applied. The Government and the members of the Chambers frequently have recourse to the library for the preparation of laws.

The institution of Assistants to the Committee, who are always ready to furnish information or translations for the laws of those countries which they have especially studied, is calculated to enhance considerably the usefulness of the library.

We hope that the foreign statesmen or jurisconsults, who come this year to visit our Universal Exhibition, will devote a few moments to study the management of an institution, which up to date has been imitated in one country only, Spain. They will doubtless find their works on the shelves of our library, and our Secretaries will be happy to give them the most hearty reception, and lend them the most devoted assistance.

The second part of the Committee's work, Mr. Minister, is the collection of the translations of foreign codes. It has proceeded less rapidly than the formation of the library. For this there are two reasons: the Committee was of opinion that it ought to devote primarily to the purchase of books the greater part of the grant allotted by the Chambers. On the other hand, it believed that, in order to possess a permanent utility, these translations ought to be maturely studied, and accompanied by introductions and notes showing clearly the salient features of former legislation, the preliminary correspondence connected with the new codes, and the character and reasons for the amendments of the old law. Elaborate works, under such circumstances, could not be hurriedly prepared; but if they are yet few in number, they have acquired a real authority in foreign countries, and, at international congresses of jurists, such and such a translation of the Committee has been quoted in the same way as the original text.

Our collection of foreign codes now consists of ten volumes. They are the following translations:—

The German Code of Commerce, and the German Law of Exchange, by MM. Gide, Charles Lyon Caen, J. Flach and J. Dietz (1881).

The Penal Code of Holland of the 3rd March 1881, by M Wintgens (1883).

The German Code of Criminal Procedure of the 1st February 1877, by M. Dubarle, two volumes (1885).

The Colonial Charters and Constitutions of the United States of North America, by M. Gourd, two volumes, (1885).

The Hungarian Penal Code of Crimes and Delicts. of the 28th May 1878, and the Hungarian Penal Code of Contraventions of the 14th June 1879, by MM. Pierre Dareste and Martinet (1885).

The Code of Civil Procedure of the German Empire of the 30th January 1877, by MM. Glasson, Loderlin, and Dareste (1887).

The English Bankruptcy Law of 1883, by M. Charles Lyon-Caen (1889).

Two more volumes will shortly appear ; one is the translation of the most recent Code of Commerce, namely, the Portuguese Code of 1888 ; the other, that of the laws of the principal foreign countries concerning literary and artistic copyright. Besides these, several other translations of the codes of Austria, Italy, Russia, and of different States of America "have been decided upon in principle, and are in active preparation.

Such, Mr. Minister, is the present stage of the labours of the Committee of Foreign Legislation. I am confident that these labours will appear worthy of your approbation.

Be so good as to accept, Mr. Minister, the assurances of my highest esteem.

LEON AUCOC,

*President of the Committee of Foreign Legislation,  
and Member of the Institute."*

There are one or two other reports in connection with the Library. One deals with the appointment of assistants, whose duty it is, on request, to help persons to find the books they require, and to aid them with their advice and knowledge. It was found necessary to appoint such men, as of course, numbers resort to the library who are not conversant with the languages in which the foreign laws are written. These assistants are not supposed to exercise a public function, nor have they any permanent title to their posts. They are chosen annually, and their duties do not impose any additional charge on the State, as those who use them have to give them remuneration according to a tariff which is fixed up in the library. As these assistants are selected for their special knowledge of the subjects they profess, the benefit to those who resort to the library is very great. There are at present three assistants for German law, five (one an English Barrister) for the laws of England, Scotland and Ireland, four for Austria, two each for the United States, Italy, and Spain, and one each for Belgium, Croatia, Hungary, Luxembourg, Montenegro, Holland, the Scandinavian Countries (Denmark, Sweden, and

Norway), Portugal, German Switzerland, and French Switzerland. The library is open every day, except Saturday and Sunday, from 1 P. M. to 5 P. M. Books must be consulted there, and cannot be taken out.

The wealth of legal literature in the library, and the enormous extent of range and variety, may be inferred from the divisions, sub-divisions, heads, and sub-heads, under which the books are grouped. The General Part consists of natural law and the Philosophy of law, Ecclesiastical law, the laws of Antiquity and of the Middle Ages, Political and Statistical Economy, Geography, and Miscellaneous. The First Part deals with International law, and is divided into general works, Public International law, Criminal International law, and private International law. The Second Part comprises Comparative Legislation, and is divided into general works, Public and Administrative law, Judicial Organisation and Procedure, Criminal law, Civil law, Commercial and Industrial law, and the law of Literary, Artistic, and Industrial Property. Public and Administrative law are again sub-divided into nine heads, namely, general political organisation, Church and State, Finance, Public Instruction, Public Assistance, Social questions, Local Administration, and Miscellaneous.

The Third Part deals with the laws of modern States, and a portion at least of the laws of the following countries are contained in the library :—

Germany.	Italy.
Andorre Valley.	Japan.
Argentine Confederation.	Luxemburg (Grand Duchy.)
Austria-Hungary.	Madagascar.
Belgium.	Mexico.
Bolivia.	Monaco.
Brazil.	Free State of Orange.
Chili.	The Netherlands.
China.	Pérou.
Costa-Rica.	Persia.
Denmark.	Portugal.
Egypt.	Roumania.
Spain.	Russia.
United States.	Saint Marin (Republic.)
France.	Salvador (Republic)
Great Britain.	Serbia.
British Colonies & Possessions.	Sweden and Norway.
Greece.	Switzerland.
Guatemala.	Turkey.
Hayti.	Uruguay.
Sandwich Islands	Venezuela.
Honduras.	



Under the head of Germany are grouped the laws of twenty-six States, of which one is Prussia. Under the head of Prussia again, are the local or provincial laws of thirteen different provinces, Pomerania, Posen, Westphalia, Rhenish Prussia, Hanover, &c. Under the head of Austria, we have, besides the general law, the provincial laws of High and Low Austria, Bohemia, Boukovnia, Carinthia, Cracovia, Dalmatia, Galicia, Moravia, Duchy of Salzburg, Silesia and Styria.

The English people are just beginning to awake to the fact—they are not fully awake to it yet—that the cry against over-legislation\* is the cry of the interested conservative English lawyer, who does not want the law to be made certain and easily understood of the people,—the English lawyer, who is prejudiced in favour of his own system, because he knows no other, and does not wish to be forced to learn any other.

The English lawyer is strangely inconsistent. He questions the advantage of any reference to, or quotations of the laws of other countries; and yet when he is on the Bench in India, administering, or supposed to be administering Indian law, nothing delights him more than to quote English decided cases; and this he does, even when those cases are, perhaps, diametrically opposed to the perspicuous sections of the code which he is legally bound to administer.

The Barrister Judge in India sneers at the Civilian Judge and the Bengali Vakil Judge, because they know little or no English law. It must be admitted that the sneer is not altogether undeserved. Again, the Civilian Judge is apt to disparage the Barrister Judge, because the latter has but an imperfect acquaintance with the vast body of Indian law, and is innocent of land tenure, revenue, and rent laws. It must be admitted that the disparagement is not altogether unreasonable. Judges of the highest courts in India should know both English and Indian law, but especially the latter. If it is permissible to quote English cases, then why is it not permissible to quote American or French cases? Take criminal procedure, for instance; the spirit of several continental codes on this subject is very much in accord with Indian criminal procedure, whereas the ruling principles and spirit of English law have been antagonistic to the provisions of the Indian codes. Happily English criminal law has, of recent years, been made more rational, and deprived of many of its marvellous technicalities. The reports afford remarkable instances of Indian Judges quoting the remarks

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\* As to India, we think the procedure codes, especially the Civil Procedure, are far too elaborate. They should be simplified. At the same time the country gets too little of the sort of substantive law it requires.

of English judges on certain criminal offences, when the plain words of the section in the Indian Code show that the law is different to the English law, and a reference to the Report of the Commissioners would show, that the Indian law was intentionally made different to the English law. It may be said that Indian Judges quote English law, because lawyers always like to quote something, and English law is the only law they can quote. That is true, but if they could quote other laws, they might do so. English law is foreign law in India, and if one foreign law may be quoted, why not another? Of course there are some subjects in which English law is, to a great extent, administered; but it seems absurd to quote the English law of Landlord and Tenant in administering Tenancy Acts in India, for the one law is diametrically opposed to the other. It would have been far better for the country, for instance, if the rules about buildings, and land let for buildings had been based more on the custom of the country and less on the law obtaining in England.

Those who allege that it is of no use to study the laws of other countries, are those who have never made such study. They are surely not competent to express an opinion, or at any rate, not a decided opinion. A man who has never tasted a plaintain or an olive, cannot be certain that he will not like them. A man cannot describe the properties and uses of a thing he knows nothing about, and has never seen. On the other hand, those who have made the smallest beginnings in the study of any branch of comparative legislation, readily admit its advantages. "*Ars longa, vita brevis*," the practising lawyer may say, "it is quite enough to get to know something of the law of one country." True; but what does the moralist go on to say—*experimentum lubricum, judicium difficile*. If there is one thing that renders experiment less uncertain, it is a wide range of knowledge, an enormous number of experiments. If there is one thing that renders a decision less difficult, it is a knowledge of the decisions which statesmen and legislators of other countries have come to in exactly similar, or nearly similar sets of circumstances. It is surely illogical to use the material products of other countries, and to sneer at their mental products: to indulge our palates and appetites with their wines and fruits and ignore their literature and laws. Nor, indeed, is this done in any branch of knowledge except law, and then only by the English lawyer. Philosophers, historians, poets, painters are only too eager to learn what they can from their *confrères* in other countries. But the study of English law only seems to have a narrowing tendency; this has been remarked by several English lawyers, and there must be some truth in it, because some of the greatest judges in England have,

from time to time, been the keenest opponents of the most moderate legal reforms. The English lawyer has always been desirous of preserving his own system against the inroads of reformers. It has been a very arduous task to rid the English criminal law of its worst absurdities and technicalities, and this fact is probably owing to the presence of so many English lawyers in the House of Commons. Each new reform is shrieked at until it is effected, and then even lawyers themselves wonder why it was not effected fifty years before. See how many years it has taken to remove the numerous restrictions on the competency of witnesses. How many years more will elapse before the wisdom and justice of examining an accused person is more widely recognized? When will the rules as to the exclusion of hearsay evidence be done away with or modified. This exclusion of hearsay evidence has done incalculable mischief in India. Hearsay evidence has always been admitted in the Court of Chancery, where judges sit without juries. The rules were only made for ignorant juries, and not for trained Magistrates and Judges sitting alone. Surely the latter can be trusted to pick out the wheat from the chaff, and to attach only such importance to hearsay evidence as it may be worth; and that it is often worth something, is universally admitted. No doubt, in admitting hearsay evidence, we get a good deal of useless quartz; but, by a rule of rigid exclusion, we lose not only the quartz, but the scattered nuggets of gold also. It is painful to see an ignorant Indian villager caught up and stopped, while he is telling his story in his own natural way; he gets bewildered and confused, and the cause of justice suffers. Parts of the witness's story may be irrelevant, but they may lead up to other relevant facts and statements. If the witness is checked and confused, all is lost, relevant and irrelevant alike.

A man may, perhaps, deny the utility of the study of comparative law and jurisprudence, without being accounted prejudiced, before an audience of English lawyers, enamoured of their own system and saturated with insular prejudices; but if he were to make such denial before an audience of German, French, or Italian lawyers, he would be writ down as a lunatic or an ass. It may be argued that the Judges of the highest Courts in India have only had the ordinary narrow education in law, and that it is of no use for practising lawyers to devote any attention to comparative law, if the Judges before whom they practise know nothing about it. This is surely a narrow view to take. The very ignorance of the Judges would surely strengthen the position of the Barrister, and give him greater weight and authority. If a knowledge of comparative law gives more breadth of view, a greater

grasp of principles, and powerful weapons of argument to the practising lawyer, such a knowledge is even more indispensable for the Bench. Its value to the historian, the jurist, the statesman, and the legislator needs no demonstration. With the advancement of civilization, development of communications, and increased facilities for travel, countries are coming nearer to one another, and the tendency is for the laws of civilized nations to become more and more alike. Educated people are becoming more cosmopolitan; and the time has long passed away when any one country can affect to despise the laws, manners, and customs of other countries, or can stigmatize as "barbarians" all other nations than themselves.

H. A. D. PHILLIPS.

[INDEPENDENT SECTION]

ART. II.—SCEPTIC SCIOMACHY.

"I have sworn by myself, the word is gone out of my mouth in righteousness, and shall not return, that unto me every knee shall bow, every tongue shall swear."—Isaiah, xlv, v. 23.

"I, if I be lifted up from the earth, will draw all unto me."—John, xii, v. 32.

**S**HOULD any person have read the essay on Positivism in the July and October numbers of this Review, he will doubtless have understood the object of the method adopted therein.

Apology is hardly needed for returning to this subject. The *Calcutta Review* is intended for the discussion of matters of public interest, and what can have greater public interest than the future of mankind? This future, Christianity alone pretends to reveal, and the manner of discussing this is to enquire temperately whether the revelation is reasonable, and to examine the objections made against it.

Objections to Christianity are, in one direction, best met by showing them to be unscientific, in another direction by proving that what the objectors are combating are mere shadows of their own minds' throwing. To this last phrase exception cannot be justly taken, for educated men of the present day must not plead the misrepresentations or miscomprehensions of others in matters which are open to their own examination.

Christ has taught, writes Mr. Vincent Tymms, in 'The Mystery of God,' "not merely that men have a right to use their faculties independently in the pursuit of truth, but that it is their duty to do so, and that they are responsible to God for the due discharge of this most primary obligation." It is certainly every man's business to endeavour to understand God's revelation as shown forth in His universe, as given in the teaching of His messengers, as found in the reported words and acts of 'the man who is God's fellow' (Zech; XIII. 7) To do this he may doubtless avail himself of assistance from other men's minds. But surely we have no more right to raise objections to the revelation on another's presentation of it, than we have to shirk the obligation of personal inquiry in another way, by delivering over our own minds in bondage to those of others—a process which leads to the acceptance of Dogmas of Infallibility.

(2) Sufficient has been said in the former essay to show that objectors against Christianity have in their objections

neglected the teachings of science, on which they elsewhere profess reliance. But the other position, viz., that what they object to is something else than the Christian religion, needs further development.

The contentions of the above mentioned essay were—

1.—That the fundamental principles of the Christian religion are consonant with the reason granted to us whereby to understand those principles—as its evidences are with science and with the analogy of nature ; in other words, with the revelation of God in His universe.

2.—That what is not consistent with that reason and that revelation cannot be necessary to the Christian religion.

3.—That both direct revelation and the revelation of science are seen to have been progressive from the earliest times, and to be still progressing ; and that to reject what truth we have, on the ground of its incompleteness, and on the ground of errors in its interpretation, is as unreasonable as it would be to reject the theory of gravitation because it does not meet all difficulties, or the theory of light because Newton supported a mistaken view of that theory.

(3) There has been only one man on this earth who has ever grasped the fundamental principles of the Christian religion, namely, its Founder. On Him, even, the revelation evidently came only by degrees ; and yet He possessed faculties whereby to grasp it such as no other human being has ever yet possessed, though He has promised eventually, as God, to communicate those faculties to His kind. For the comprehension of those principles, then, we must evidently turn to such record as we have of His views regarding them. Always, however, remembering that the enunciation of those views was hampered by the imperfection of human faculties of expression, and the apprehension of them by the imperfection of human understanding ; and, moreover, that the record of them is vitiated by all the infirmities of the human nature of the reporters and transcribers through whom the record has reached us. Also that the revelation of God is progressive and infinite, and that we may therefore venture to infer that it was not complete even to the man Jesus—in His humanity.

This delicate question was touched upon in paragraphs 48 to 52 of the former essay. It was, indeed, more fully faced in a portion of that essay, which was subsequently excised, as it was felt that such a subject needs an essay to itself. This is the subject now proposed to be dealt with.

(4) Before considering the question of how much was known to Jesus Christ, in His humanity, of “ the mystery which hath been hid from ages and from generations ;” of “ the eternal purpose” which, in His Godhead, He purposed with the Father ;

it will be well to summarise the most advanced views of that mystery, as the writer understands them to be held, and as it was attempted to develop them in the former essay :—

1. That man is the head of the organic kingdom by gradual ascent from whatever was the earliest form of matter, which itself is an emanation from God in that it is an embodiment of His will :

2. that, as such, man would cease to exist whenever matter ceased to exist :

3. but that matter, having since its creation ascended thus up to man through the various kingdoms, has completed the circle, and has been taken again into the Godhead in the person of The Man, whom all his kind are to follow in that stage of evolution—doubtless through many intermediate processes :

4. that matter, in the stage of man, can no more achieve any process of this evolution automatically, than, in its inorganic stage, it can achieve the evolution into the organic kingdom. The higher kingdom has to stretch down and take it up, and there is no free will in the matter, so far as regards the member of the lower kingdom thus promoted :

5. that, in analogy with the process of translation from the inorganic to the organic kingdom, the life *has* so stooped down—the spiritual life from the spiritual kingdom—the man Jesus being the incarnation of that condescension. And as the roots of a plant draw up inorganic matter into life, absorbing that matter into itself, so the Central Love has thus drawn up manhood into itself, *viz*, The Man, and the mankind of which That Man is the *Alpha* and the *Omega* :

6. that this process is certain, universal, gradual ; that the apparent failures are part of the process, and are no more real failures than the apparent failures in the workings of the visible universe. And that the organic matter so acted upon has no more to do with either the promotion or the ‘putting back’ in the course of its evolution into spiritual life, than the inorganic matter drawn up by the plant has to do with its evolution into natural life, and its subsequent dissolution and return to the inorganic kingdom—whence to be again evolved into organic life.

(5.) Those who rest their objections to the Christian religion on the ‘believe or be damned’ presentation of it, most unjustly take the ill-considered utterances of ignorant, if well-meaning men, as representing the tenets of that religion. Our Church’s view regarding man’s impotence towards his evolution into the higher life is, however, clearly expressed in the Tenth Article, and also in the Collects, notably those for the second Sunday in Lent, for Easter Day, for the fourth Sunday after Easter, and, especially, that for the nineteenth Sunday after Trinity. It is

expressly asserted by the Church, in the Tenth Article, that faith, that the very turning to God and the inclination and power to call upon Him, must be the gift of God, and is no matter of free-will. How, then, can it be supposed to be a tenet of Christianity that, as John the Baptist is represented as saying (John III, 36), where God has not yet bestowed that faith, that inclination, that power, He will nevertheless show wrath, for not believing on and turning to Him, against those who, until that gift of faith and inclination is bestowed, *cannot* (Matt. XI, 27, Luke X 22 ; John VI. 44 and 65, believe on, and turn to Him ?

This would be to make the God of the Christians a devil, not a God, an enemy, not a Father. Isaiah knew better than this and cried : "Doubtless thou art our father ; thou, O Lord, art our father, our Redeemer ; thy name is from everlasting." And if John the Baptist ever did make such a statement as is above referred to, it only shows that John, like Jonah and other holy men in ancient and modern times, was unable to rise to the height of God's love, and interpreted Him according to his own imperfect human nature.

(6) What, then, is the case, according to the Christian religion, of those on whom God has not yet bestowed faith and the power to turn to Himself ? On this point our Church, though still admitting into its Liturgy the damnatory clauses of the Creed, unjustly termed Athanasian, has in its Articles committed itself to no expression of views—and objectors have certainly no right to accept, as the view of Christian men generally, the ill weighed opinions of certain among them. Let all men judge for themselves. If it is only by the power of God that we can believe in Him and turn to Him ; and if, as is certainly a Christian tenet, there is no life save in Him—then what follows from what is also certainly the Christian tenet, that God is Love, that He hates nothing that He has made, nor would have the death of a sinner, but rather that he be converted and live (third collect for Good Friday), and from the Christian tenet that God is Almighty ? Surely what follows is that the power to believe on Him and turn to Him *will* be given to all. In the words of the Master quoted by St. John, "God sent not his son into the world to condemn the world, but that the world through him might be saved." (John III, 17 ; see also John XII, 47).

(7). Of course it stands to reason that the world in its present form cannot be "saved," that is, cannot re-enter the Divinity. "Flesh and blood cannot inherit the kingdom of God, neither doth corruption inherit incorruption." Matter must of necessity have its form changed in order to enter a higher state. The rock, for instance, must be disintegrated, absorbed, born again into the life of the plant. The man Jesus grasped by intuition



this fact, now known to us scientifically under guidance of the Spirit of the God Jesus, when He said to Nicodemus "that which is born of the flesh is flesh, and that which is born of the spirit is spirit. Marvel not that I said unto thee, ye must be born again";—that "it is the spirit that quickeneth, the flesh profiteth nothing;"—that no man can ascend up to heaven, or enter the spiritual kingdom, otherwise than as part of the spiritual man who came down from that kingdom to take the natural man into himself (John III. 13). It was for this purpose that Jesus was sent, that in Him His kind might so be born again—"that the world through him might be saved."

And how saved? It stands to reason that the natural man must be purged of his sin, of his imperfection, (Heb. I, 3), to permit of this incorporation with the spiritual man. It is the 'law of consequences' which is stated in Luke XII, 47 and 48, in words suited to the minds of that day. Sin is the accepted term for the imperfection inherent in the present stage of evolution. By a known law this has a consequence of suffering attached to it—suffering which must be tending to its purgation and cure (as understood in the Roman Catholic doctrine of purgatory) or else the suffering would be meaningless, and the law would be mere arbitrary cruelty. There *must* be stripes for sin. The imperfection of its nature causes the child to fall, and pain ensues. The imperfection of his nature causes man to fall, and suffering is the consequence. This is not mere wantonness of arbitrary power; there is a wise meaning in the law, though our purblind vision cannot always see it. Only love and faith can enable us to perceive that, God being love, this consequence of suffering *must* be for the cure of that imperfection from which it results. That it is for the *punishment* of the imperfection is a view not only inconsonant with reason, but also inconsistent with love and faith.

This law of consequences reached its utmost exposition on the Cross. Was Christ *punished* for the imperfection of his kind, or did he undertake the consequence of that imperfection in suffering and death, and achieve for them the utmost effect of that consequence, namely, the final purging of the imperfection? (Heb: I, 3).

(8). Does any one who recognises an Almighty God, seriously believe that His plans can fail? Can any one suppose that He has sworn by Himself that every knee shall bow to Him, every tongue swear to Him (Isaiah XLV, 23, and Phil: II, 9-11); that His Son has undertaken, in his crucifixion, to draw *all* unto Himself; (John XII, 32); and yet that this shall not be so? To believe this involves the supposition of some power capable of crossing God's purposes. This must

be either a power independent of God, which is inconsistent with His all-might, or must be a power bestowed by God—a power bestowed by Him on man or devil for the express purpose of thwarting Himself—which is surely absurd. If neither of these suppositions can be entertained, then the only remaining hypothesis is, that God plans to fail, that He creates to destroy,—which is the hypothesis of *Umar Ibn K'hayyām*, but is certainly not one to be entertained by reasonable beings now.

Therefore it is that St. Paul expresses in the following words the sum of the Christian faith regarding 'the mystery of God's will according to his good pleasure which he hath purposed in Himself;' namely, "that in the dispensation of the fulness of times He might gather together in one all things in Christ, both which are in heaven and which are on earth."

(9). It may be asked, 'how then about the manifest failures?' To which the reply is, 'who has seen the failures?' Does any one seriously suppose that the whole of a man's life is concentrated into the span which we can observe? Is it so as regards the rest of the universe? A meteor flits through the atmosphere, bursts, and as far as we can see, its course is finished. But science knows better. A blossom falls from a tree and rots. Is that the end of it? Why the very carcase which once contained a man is absolutely imperishable while matter exists. It is bound by the laws of the universe to renew itself through the inorganic kingdom into the life of the organic kingdom; and if this is the case with the natural body, how much more so with the spiritual body, after its separation from what, for the time being, was its envelope! Certainly, if there were no spiritual body in the envelope; if, during the space of the animal life, the spirit which comes (as the Master said) like the wind comes, had not breathed upon those dry bones that they might live (Ezek: XXXVII, 5 and 9); if the life from the spiritual kingdom had *not* stretched down to take up the man from the organic kingdom into itself; then the case does not arise. The animal has remained animal till its dissolution, or rather resolution into other forms of matter and subsequent life. Doubtless, when these again attain the highest point of the organic kingdom, in the shape of man, the deferred promotion will occur. Of these matters, says the Preacher (Eccles: XI, 5), we can know nothing; but from the analogy of nature, and from faith in the loving Father who has ordered its laws, we can infer much, and this much may safely be said—that the spiritual life should become extinct like organic life, that the spiritual body should be dissolved and 'put back' like the natural body, is inconceivable.

The member of the organic kingdom may, and does descend into the inorganic kingdom again, with the certainty of restoration by evolution. It does not perish, but it is put back. Much less can the member of the spiritual kingdom perish, but can it be put back? Can the spiritual life become extinct, the spiritual body dissolve and be put back to work up again through organic life? Such is the doctrine of metempsychosis, but to Christians it is inconceivable, because they hold that the spiritual body is a member of Christ's body, and has accomplished in Him a stage of evolution from which there is no 'putting back.'

(10.) Once in the Spiritual Kingdom, then, always in the Spiritual Kingdom. But, as in the organic kingdom cycles on cycles are needed for evolution to perfection—from the monad for instance, to the perfect animal 'man' that may be reached in the distant future—so it may be in the Spiritual Kingdom. So, indeed, it *must* be in the Spiritual Kingdom, for can it be supposed that mere release from the grossness of our present condition will raise us straight to the stature of the fulness of Christ? Does not analogy rather point to the probability of evolution being endless? We spring from the grub stage to that of the butterfly, the beauty-fly, but even that beauty is, as we know, but a stage of development. "It doth not yet appear," writes St. John, "what we shall be." All that we do know for certain is, that we shall rise from height to height until we are "like Him" who is 'the brightness of God's glory and the express image of His person.'

(11.) That any finite intellect should fully understand the mind of Him whose "judgments are unsearchable and his ways past finding out" is of course out of the question. But undoubtedly one mind, that of the man Jesus, did obtain, by the intuition of faith and love, extraordinary insight into "the mystery which hath been hid from ages and from generations." Undoubtedly also great insight thereinto was communicated to his immediate followers by the Spirit which he sent to them after resuming His Divinity. It is for objectors to make sure how this mystery was understood by those minds, by the man Jesus and by His apostles; and to consider it in the light of the further revelation afforded by the progressive teaching of that Spirit in the observation of God's works.

(12.) But first of all, as said in para. 48 of the former essay, it is necessary to realise, to impress upon our minds again and again, that while on earth, Jesus the Christ *was a man*. That he was a man infinitely superior to ourselves is indicated by the method of his entering into the world, and is shown by the manner of his life and of his death—but still he *was man*. That he possessed faculties of love, faith and intuition

transcendently beyond our own, is evident from his words and from His works—but still He was *man*. He was so regarded by His contemporaries. He was so spoken of by the prophets who preceded and by the apostles who followed Him. (Acts II, 22 and 36; Acts V, 30 and 31; Acts X, 38; Acts XIII, 23 and 38; Phil: II, 8; Hebrews III, 3 and Hebrews V, 7, 8 and 9.) He lived and moved and ate and drank and felt sorrow and pleasure and pain and all emotions like His fellow-men. He was 'tempted at all points like as they are.' He was a sympathising member of their society. He was, in fact, what He called Himself, the Son of Man, "crucified through weakness," (II Cor: XIII, 4)—not the Deity in disguise. Let those who wish to see Him as nearly as possible as He was on earth, and who cannot so see Him in the gospels, from the difficulty in separating the present Human from the future Divine—let those read that marvellous effort of realisation called 'Philochristus, or The memoirs of a disciple of the Lord.' They will therein see Jesus of Nazareth very much probably as His contemporaries saw Him.

What He was before His human birth we can accept by faith. What He is since His death we know by His own statements, and those of His apostles (*e g.* Acts V, 31), after His resurrection. But that during His lifetime on earth He was *man* is a precious truth, without full grasp of which the significance and comfort of His mission is lost to us (Hebrews II, 17 and 18; Hebrews III, 1-6; Hebrews IV, 14 to V. 9; Hebrews VII, 22-26 and Hebrews VIII, 1-4,) and without full realization of which Christianity must always present difficulties insuperable. How, then, being man, did that Jew of the first century learn what he had been, and what He would be, and what was the task for which He was born into the world? Evidently he was learning this throughout His lifetime, having begun when His faculties were sufficiently developed to read and meditate (Luke II, 40-52), and progressing under the stern teaching of temptation (Hebrews II, 18), of disappointment and sorrow (Hebrews V, 8), until upon the Cross, the last revelation was borne in upon His mind that "it is finished."

That He was omniscient, then, at any period during His lifetime, is not to be supposed, any more than that He was omnipotent. Had He been so He would have been God, not "Jesus of Nazareth, a man approved of God among you" (Acts II, 22). Indeed, He expressly disclaims both attributes (see among other passages, John V, 19, and VII, 28 and VIII, 28). It is the Father who knows and who reveals in part; it is the Father who can do all things, and what He shows to His Son, His Son does. He is the man "whom the Father hath sanctified and sent into the world," and who has therefore the right to

call Himself "the Son of God" (John X, 36.) It is only after the resurrection that He says "all power is given unto me in heaven and in earth," (Matt: XXVIII, 18). Vast, indeed, was this revelation of knowledge and power made to the man Jesus, such as was to be apprehended by no other son of man,—but not complete, for that would have been incompatible with the Son's humanity. It is only when humanity re-enters the Divinity from whence it came, that it is capable of apprehending the Divinity completely.

(13.) Herein would seem to be the explanation of recorded utterances such as those in Matthew's gospel—VII, 21-23; X, 32, 33; XII, 31, 32, 36, 37; XIII, 37-43, 48-50; XXV, 31-46; XXVII, 46: in Mark's gospel—III, 28, 29; VIII, 38; XV, 34: in Luke's gospel—IX, 26; XII, 8-10 and 47 and 48; XIII, 24-28; XIX, 27: and in John's gospel\* V, 29; VIII, 44; XIII, 18; XVII, 9;—if we suppose those utterances to have been correctly reported and to be correctly understood.† It was a Jew of the first century speaking; a man, certainly who spake as "never man spake"—but who yet spoke as a man, and with only such knowledge of His Father's will as His Father had so far revealed to Him.

Shrink as we may, as indeed those brought up in the traditions of the Church of England must shrink, from facing a question like this, it has to be faced. As said in para. 50 of the former essay, it is useless to bring to the world the "glad tidings of great joy" that God has become man for the salvation of men; that He has "abolished death" in giving "himself a ransom for all;" that "God hath not appointed us to wrath but to obtain salvation by our Lord Jesus Christ," who has blotted out "the hand writing of ordinances that was against us, which was contrary to us, and took it out of the way, nailing it to his Cross"; that we are "complete in him" in whom it pleased the Father that all fullness should dwell, and "having made peace through the blood of his cross, by him to reconcile all things unto himself; by him, I say, whether they be things in earth or things in heaven":—it is useless to bring men these tidings, dwelling on "the love of Christ which passeth knowledge," from which "neither death, nor life, nor angels, nor principalities, nor powers, nor things present, nor things to come, nor height, nor

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\* John III. 18-21, is not included, as these appear to be the words of John, not of Jesus—though given in continuation of the Master's speech to Nicodemus.

† It has been suggested in the previous essay, and further argued in the previous paragraph (7), that Luke XII, 47 and 48, does *not* bear the meaning generally accepted. The stripes of which our Lord speaks, whether many or few, cannot mean *punishment* (which would be unjust and absurd if men are not free agents capable of opposing their Father) but, like those which the speaker Himself was to bear for the imperfection of His kind, must be part of a tender process of purifying, refining and perfecting of our imperfection.

depth, nor any other creature shall be able to separate us,"—while insisting on the above quoted utterances of the Master as being absolute, in their accepted sense. "For it is God who worketh in you both to will and to do of his own good pleasure," and "no man can come unto me except the Father which hath sent me draw him"; therefore He who "is not come to destroy men's lives but to save them" cannot possibly—as those quoted utterances would seem to say—refuse a share in His completed work to those lost ones whom He "is come to seek and to save"; and He can only have "concluded them all in unbelief that he might have mercy upon all".

(14) These contradictions must be faced, then, for much human misery has arisen from the conception of an arbitrary unjust Omnipotence instead of an all-wise all-loving Father. Is it an unreasonable hypothesis that they arise from the humanity of our Lord—from the fact that it was not the God Jesus speaking with perfect consciousness of His own eternal purpose, but the man Jesus, the Jewish teacher of the first century, addressing a stiff-necked and besotted generation, enclosed in a rhinoceros hide of stupidity and spiritual pride? It evidently was such a man who prayed for deliverance in the garden of Gethsemane; evidently a *man* who spoke of obtaining from His Father more than twelve legions of angels for protection from the Jews—not the God by whom and in whom Jews and angels and the universe subsist. It evidently was such a man who conceived of his second coming in the terms of Daniel VII, 13, and of Zechariah XII, 10. It evidently was a *man* whose power to heal depended on the measure of faith bestowed by His Father on those whose ills needed health. It was a man who wept at Lazarus's tomb. It was a Jew of the first century who regarded as possession of the devil what is now known to be physical disease, and who spoke of the devil in the terms of John VIII, 44. It was *the man* who on the cross lost hold for a moment of the knowledge of his own Divinity, and who, in the moment of death, commended, as man, His spirit into the hands of His Father. Is it, then, too much to assume that it was as *man* that Jesus of Nazareth quoted from Isaiah LXVI, 24, regarding the fate of the wicked; and that He conceived, as a Jew of that day might conceive of His future attitude, after resuming His Divinity, towards those who rejected Him?

This explanation would not, of course, apply after Christ's resurrection; but there can be little doubt that the only passage in which He is reported as then speaking after the manner of men—*viz.*, Mark XVI, 16, is spurious. For we see that, even while still in the flesh, the man Jesus, in the last stage of completing obedience to the Father's law regarding the means of

perfecting humanity, did realise that the imperfection of His enemies was to be perfected by Him, not punished ("Father forgive them for they know not what they do"). Also we see, from His promise to the criminal at His side, that He understood that this perfection of His species was then on the point of commencement. That He subsequently, when the brain, the medium of conception, was failing under approaching physical dissolution, lost the knowledge of Himself and of His accomplished task, and uttered the bitter cry—only shows that He was *man* to the last.

(15) Is it to be supposed, then, that the sons of men have, in this 19th century, a better knowledge of the Father's will than the man Jesus had? Will they have better knowledge still in the 29th century? If the question be more fairly stated, *vis.*, whether or not the revelation made to us by the man Jesus has since continuously progressed, then the answer cannot be doubtful. It was promised by the prophetic insight of Jesus himself that such should be the case. Revelations of God's glory which are familiar to us in the present day were evidently not known to Jesus in his humanity—could not indeed have been known to Him if He were then man, and not God. He knew the Father, certainly, as no man can ever know Him without the Son's showing. He knew, by His transcendent intuition, that God is love; and, by His transcendent faith, that God was incarnate in Himself. He was a prophet, moreover, inspired with such knowledge of future events as God thought fit to reveal—as other prophets His predecessors had been inspired. Of His Father's will, however, and of His Father's methods, He could, as man, know no more than was then revealed; but more has been revealed since His time on earth—revealed by Himself, as God, through the Spirit which He has continuously sent, as He promised, since He rejoined His Father. For no man knoweth the Father "save the Son, and he to whomsoever the Son will reveal him".

(16) Returning, then, to the consideration proposed in para. (11), we have to examine that presentation of the "great mystery," as revealed to the man Jesus and understood by His apostles, which is to be found in His recorded utterances and in their writings—so far as either may be supposed to be authentic. We find the key-note of the Master's revelation to be that God is love—love towards *all*, in spite of all imperfections (Matt. V, 43-48; Luke VI, 35 and 36); that our own love towards our offspring is a faint indication of that love (Matt. VII, 9-11; Luke XI, 11-13); that it is over our imperfections that He specially yearns, as a parent does over an afflicted child (Matt. IX, 13 and XVIII, 11-13; Luke XV), and that the worst of imperfection can and will be perfected (Matt. XIX, 26; Mark X, 27; Luke

XVIII, 27',—not by effort of its own, but by this yearning love of the Father and the Son (Matt. XX, 14 and 15; Luke XII, 32, taken in connection with the previous verses); that this love is such that God sent His Word, His Son, to perfect the world (John III, 16 and 17; XII, 47, and XVII, 23) by incorporation with His Son (John VI, 53-57, and XV, 1-6)—mankind thus sharing His triumph over imperfection and its necessary consequence dissolution (John XVI, 33),—and in this manner to bring to an end both imperfection and dissolution and 'the putting back' to renewals of evolution (John VIII, 51, and XI, 25 and 26); that, indeed, imperfection exists only to show forth God's glory in perfecting it (John IX, 3 and 39 and XI, 4), God's power and love in restoring it (Luke IX, 56 and XIX, 10; John III, 17 and XII, 32).

(17.) As was to be expected, we find these truths more faintly realised by His followers as the interval widens which separates each of their epistles from the time when the impression of the Master's presence and of His words was fresh upon the writers. Indeed, for men imbued with the cruel Jewish idea of the Fall, and of the ruin of the entire human race by the failure, under an arbitrary test, of one single representative of that race, God as a loving Father must certainly have been hard to realise; impossible, indeed, but for the happy inconsistency and illogicalness of the human mind. Where that mischievous idea sprang from is not hard to understand; hard, cruel, unjust men naturally conceive of a hard, cruel, unjust Deity. The Master, however, Jew though he was, would evidently have none of it. In fact it would have been impossible that anything so revolting, so derogatory, so opposed to His absolute trust and entire confidence in the Father's perfect love, should find place in His mind—any more than the idea of appeasing an angry God by bloody sacrifice of His creatures. It was from nothing said by the Master that the conception of His final act of self-sacrifice for His kind as being a sin offering to propitiate wrath and avert destruction, found place in the minds of His followers. It was not in that sense, very evidently, that the Master understood laying "down his life for his friends," or that David in the 40th Psalm prophesied of Him that He would offer the sacrifice of obedience, *instead* of the sin offerings in which the Father had no pleasure (Hebrews X, 6). Nor, as we see from the record in the Acts of the Apostles, were any of these ideas present to those apostles while the first freshness of the contact with their Master was still upon them. It was long afterwards that it was possible for the writer of the Epistle to the Hebrews to renew, in his Chapters IX and X, the idea of sin-offering as connected with Christ's death. Paul certainly



formulates, in what otherwise appears an early epistle, namely in Romans V, 12-19, the Mosaic doctrine of Adam's transgression, and the world's condemnation thereby, which has repelled so many earnest minds from Christianity altogether. Possibly, in addressing Jews, Paul had to use ideas familiar to Jews (I Cor. IX, 20) for the purpose of making acceptable to their reason the truth of Romans V, 19, that Jesus has fulfilled for all the obedience which our imperfection renders it impossible for us to fulfil. But the result, for those who will take all Scriptures literally, and as literally inspired, and binding therefore word by word on our belief, has been very grievous.

(18.) Now, if we take the Epistles in the order of their degree of realisation of God as love, this may accord, for the reason given in the commencement of the last paragraph, with their probable chronological order. On such internal evidence the general Epistle of John should be one of the earliest of the apostolic letters, preceding even his Gospel. In this letter is indeed breathed the spirit of the Christian religion as indicated (see para 16) by the Founder of that religion, Jesus the Prophet of Nazareth. Here we find stated the same truths—that "God is love," love towards *all* in spite of all imperfections (I. John II, 1 and 2 ; and IV, 7-10) ; and that this love, in its incarnation, will perfect all imperfection (I John III, 5), and will guard and keep each creature as it is new born into the Spiritual Kingdom (I John V, 18, new version). Moreover John further elucidates these truths by fearlessly pointing out (as does Paul in I Cor : X, 13) that the above necessarily results from God's *justice* ; as indeed it is plain that it would be incompatible with that justice to make imperfect without providing for the perfecting of that imperfection after having caused in us the sense of that imperfection. He gives us the consciousness of it, the desire to be free from it, and then is faithful and just to remove it (I John I. 9)

It is not from the Beloved Disciple, then, that we receive any presentation of a wrathful God, incensed against His helpless creatures for an imperfection which is of His own ordinance—and requiring a sin-offering to appease Him in the death of the innocent Christ. Fear,—such as must arise from such a conception—is, he points out, incompatible with love (I John IV, 18).

It is in the perfection of this fearless love and full trust in God's justice that we stand before Him boldly (I John IV, 17), notwithstanding our consciousness of imperfection,—knowing that, as this imperfection is of His ordering, so it has been perfected by Him.

(19.) Paul's second letter to the Corinthians is clear in its presentation of the meaning of the death of Christ,—how

He was incarnate into our natural kingdom that He might, in the perfection of His faculties of love, faith and obedience, (see also Phil. II, 8) promote it through the appointed means of evolution into the spiritual kingdom, namely, through voluntary suffering and death; an achievement of which we, through our imperfection, are not capable. Also that we, His kind, incorporate with Him, share this achievement, and the resulting perfection and re-union with The Perfect,—having no trace of the imperfection left on us (II Cor. V, 14, 17, 19 and 21.) This is the price with which Jesus has bought us, His kind (I Cor. VI, 20, and VII, 23), the price of His perfect obedience as man to the law of human perfection—an obedience only possible to a man perfect in love and faith. Nowhere in these two letters to Corinth do we find the Jewish ideas of 'wrath' and of 'appeasing sacrifice'—ideas which evidently had their rise in earlier heathen conceptions of the Deity. Such ideas appear to be universally concomitant with the first conception of a Deity, for the Deity seen by the savage in the natural world around him must evidently appear malevolent, not loving. The world must indeed seem to such to be "full of darkness and cruel habitations." Even in I Cor. XV, 21 and 22, we do not necessarily find the Jewish idea of arbitrary infliction of *punishment* on all mankind for the failure of a single individual. What is stated is merely the truism that dissolution is the necessary consequence of human imperfection, and also the revelation that human perfection in the person of Christ has triumphed over it.

(20) The Epistle to the Galatians is not less express in the above view; it is only in the last chapter of it that any support can be found (in verses 7 and 8) for the doctrine that the Father has given His creatures 'free will' to thwart His loving purpose to their own destruction,—in fact, that God is *not* Love.

But that utterance is plainly polemical. Paul is striving, in this Epistle, against Jewish teachers anxious to "make clean the outside of the cup and of the platter"—indifferent, so long as the flesh of the converts was circumcised, as to the condition of their hearts. It was difficult for him, under such circumstances, to avoid sometimes saying things which might be wrested in a sense foreign to the writer's meaning—as is remarked in Ch. III, V. 15 of that second letter hitherto attributed to Peter.

But taking this letter to the Galatians as a whole, it tallies entirely with that to the Corinthians. Jesus is shewn therein as giving himself to purge our imperfection (Gal. I 4) by that death to sin which we share with Him, as we share His

spiritual life by incorporation with Him (Gal. II, 20). Paul shows this 'new birth' into Spiritual Life as being totally independent of the will or effort of the animal so promoted (Gal. I, 15; III, 8 and 26; and IV, 4-6), and as being hindered to the last by the imperfection of the natural kingdom, while the spiritual man is still in the animal envelope (Gal. V, 17.)

(21.) Again we find the address to the Ephesians pitched in the same key. It is God's love which still fills Paul's mind (Eph. II, 4 and 7.) Our predestination to the 'new birth' (Eph. I, 5); our release from imperfection in its termination by death in Christ upon the cross (Eph. I, 7); the universality of this release from imperfection, and this 'new birth' into Christ (Eph. I, 10)—who fills all in all, even us, whose natural life is otherwise necessarily subject to dissolution the inevitable result of imperfection (Eph. I, 23 and its complement, II, 1, read without the words inserted by the translators);—these are the aspects of the 'mystery of God's will' which Paul sees in his earlier letters. We are all to come, 'in the unity of the faith and of the knowledge of the son of God, to the measure of the stature of the fulness of Christ'—flesh of whose flesh we are and bone of whose bone (Eph. IV, 13-16 and V, 29-32.) He for us, and we in Him, have offered—not a sin-offering to appease an angry Master—but a love offering of obedience to a loving Father (Eph. V, 2.)

Paul states, of course, in this letter as elsewhere (*e. g.*, I Cor. VI, 9 and 10)—what is self-evident, that while still animal, before promotion to the spiritual kingdom, before incorporation with the risen Jesus, re-union with The Perfect is in the nature of things impossible (Eph. V, 5); and he again uses words which may be wrested, by calling us while in this condition, the objects of 'wrath' (Eph. II, 3; and V, 6). But that it is not wrath in the accepted sense which Paul supposes our Father to feel against us, while His workmanship in us (Eph. II, 10) is still incomplete,—is not only evident by reason, but is expressly stated in the context. For it is in this very stage of His workmanship, while yet dead in sins, that the "great love wherewith he loved us has quickened us together with Christ."

(22.) The Epistle to the Colossians being, in all essentials, identical with that to the Ephesians, may be passed over shortly. We find therein the same view of God's love translating natural man into the spiritual kingdom of Christ, whose death ends imperfection and perfects into fitness for re-union with God the hitherto imperfect creature, now complete in Christ's fulness, and triumphant with Him over sin and death (Col. I, 13-22; and II, 10-15.) We find, too, the same fact stated; that, until this 'new birth' into Christ,

there can be no fitness for such re-union with The Perfect, and expressed in the same wrestable words as are used in the other Epistles (Col. III, 6.)

In Philippians the above fact is strongly brought out, namely, that it is in Christ's perfection that we are released from the law of death, necessarily pertaining to the imperfection of the natural kingdom, and are promoted to the Life of the spiritual kingdom (Phil. III, 9 to 11.) Also that, as before said in para. (10), when once so promoted into the spiritual kingdom, there is for God's creatures no more dissolution, no more 'putting back' to retrace former steps of evolution (Phil. I 6.) Also that this promotion comes of God's good pleasure, in His own good time; and when it comes it is to be accepted and improved with awful gratitude (Phil II, 12 and 13.) Nothing is there in either of these Epistles—any more than in those to the Corinthians, the Galatians, or the Ephesians,—of those views of God's dealings with His creatures which have repelled, and must repel, so many who cannot accept a presentation which is repugnant to reason and the sense of justice (both derived from the Father, or, if not, from whence?)—and which shows us an arbitrary master, not a loving father.

Nor yet in the first letter to the Thessalonians do we find that presentation. Though little is said of doctrine therein, yet we have, in I Thess. V. 9, the repetition of the Master's utterance in John III, 17, and its amplification in I Thess. I, 10, and V, 10. Certainly, in one of these last two verses, there is reference to 'wrath,' in that it is said that Jesus has delivered us "from the wrath to come." If this is anything more than a manner of speaking in accordance with the ideas of the time, then it shows that opposition and persecution were by this time doing their work, and were inclining even these holy apostles to the spirit which the Master rebuked in James and John (Luke IX, 55)—thus causing them to forget that "the Son of Man is not come to destroy men's lives but to save them"—which latter would be the case if John III, 18 and 19, really represented God's purpose, instead of being John's idea of it (see note to para. 13)

(23.) In the letters to Timothy we find the clear expression of the fact which first appears in Luke XXIII, 34, namely that what we call sin, what we are told, in words attributed to John the Baptist (John III, 36), will be damned as unbelief—in fact, what is the inevitable consequence of the imperfection of the Natural Kingdom—is not cause for our Father's 'wrath,' but the object of His fatherly yearning and love (I Tim. I, 13 and 14); and that this is what God was incarnate to remedy and perfect (I Tim. I, 15), not to condemn (see also John III, 17); and now that He has ascended up on high

leading the captivity of imperfection captive, and has received from the Father the gift of Spiritual Life for men—"yea for the rebellious also, that the Lord God might dwell among them" (Ps. LXVIII, 18)—He *will* "have all men to be saved and to come into the knowledge of the truth" (I Tim II, 4). And who ventures to assert that His will is not law? Who are those who can seriously suppose that His word shall return unto Him void, that it shall not accomplish that which He pleases, and shall not prosper in the thing whereto He sent it (Isaiah LV, 11)? Certainly not those to whom "God hath not given the spirit of fear, but of power and of a sound mind." Let those who are deterred from Christianity in the presentation by rash persons of the ghastly doctrine of damnation, remember that Christianity's greatest exponent avers that—"Our Saviour Jesus Christ hath abolished death, and hath brought life and immortality to light through the good tidings" (II Tim. I, 10.)

Certainly the same exponent has said (II Tim. II, 12), that "if we deny him he also will deny us," quoting therein the Master's own words, *as man* (Luke XII, 9.) But are not Peter, and Paul himself, eminent instances to the contrary? They repented, certainly, but where did the repentance come from? Evidently He *will* have all men to be saved and to come unto the knowledge of the truth. Evidently He *will* leave no imperfection of the flesh to render denial possible.

It is absurd to take isolated utterances of human beings, even of the Master, against the whole tenor of prophecy, against the whole teaching afforded by Christ's life and death of love, against the reason given us by the Father whereby to know Him. How should we look, as Paul writes to Titus, "for that blessed hope and the glorious appearing of the great God and our Saviour Jesus Christ, who gave himself for us that he might redeem us from all iniquity"—if that appearing meant rejection and misery for the great majority of the fellow creatures for whom, as man, He completed obedience and took upon himself the consequence of their imperfection, in death, thereby redeeming them from the imperfection and its necessary end? Would *that* be the manifestation of "the kindness and love of God our Saviour toward man,"—or is it rather that He *has* "according to his mercy, saved us by the washing of regeneration and renewing of the Holy Ghost," whenever, in His own good time, this washing and renewing, or 'new birth' into the Spiritual Kingdom, reaches each creature of the Lower Kingdom?

The three letters just quoted to Timothy and Titus, though mainly letters of direction and guidance, accord fully, where doctrine is touched, with the teaching of the other Epistles

hitherto quoted. The isolated utterance regarding our Saviour's denying us, may therefore be an interpolation; but, if really dictated by Paul, it only shows that even he had not fully grasped—as how can any one grasp—that “love of Christ which passeth knowledge.”

(24). In the first of the letters of Peter there is nothing which differs from the spirit of the above-quoted Epistles of “his beloved brother Paul.” Here, again, we find ‘the abundant mercy which hath begotten us again unto a lively hope by the resurrection of Jesus Christ from the dead, to an inheritance incorruptible and undefiled and which fadeth not away,’—and that, when thus new born into the spiritual kingdom, we are “kept by the power of God” to be ‘put back’ no more. (I Pet. I, 3-5). Being “born again, not of corruptible seed but of incorruptible,” dissolution is impossible,—that, and the imperfection of which it is the fruit, having been done with, once and for all, when Christ bare it in his own body on the tree, and humanity and imperfection died in Him there (I Pet. II, 24). Moreover, if we are to gather from I Pet. III, 19, and IV, 6, that man of the natural kingdom—even after dissolution, and while in course of re-evolution into that kingdom from the kingdom below, in progress towards eventual promotion into the kingdom above—retains a consciousness independent of the brain which has dissolved into inorganic matter; if we are to understand this, then we see that the revelation of the certainty of this promotion reached all the kingdoms simultaneously, when Christ finished his self-appointed task and ended imperfection and dissolution by bearing in Himself the consequence of the former in the latter—the “just for the unjust,” the perfect for the imperfect. Well, then, might Isaiah call upon inanimate nature to rejoice with the sons of men and the angels of God —“Sing O heavens; and be joyful O earth; and break forth into singing O mountains; for the Lord hath comforted his people and will have mercy on the afflicted.”

But even in this beautiful Epistle, free as it is from human, and especially Jewish, notions of free-will to be imperfect; of God's wrath against the necessary imperfection of the creation which He is gradually perfecting; of the suffering of a perfect creature, as a sin-offering for that imperfection, to appease that wrath;—even here we find (I Pet. IV, 18) one touch of human weakness—namely, the human and especially Jewish idea of differences of merit, of degrees of imperfection, and of partiality in God's love on account of such differences and degrees of His own appointment!

(25). It is needless to refer to the Epistle of James, that being rather exhortatory than doctrinal. Certainly there is

nothing in it, any more than in the other Epistles hitherto quoted, of John, Paul, and Peter, to give support to the terrible denunciations of II Peter II and III, 7; and of the Epistle of Jude, and of II Thessalonians I, 8 and 9, and II, 11 and 12.

Of the second letter of Peter, as of the second of Paul's letters to the Thessalonians, we must suppose that if they are really in their entirety the production of those whose names they bear, they were written much later than the other Epistles and for polemical purposes—when the heat of controversy had weakened the first freshness of the impression of the all-embracing love of the Father and of the Son. The second chapter of Peter's second letter is practically the same as the fierce denunciation of Jude. By whomsoever these and the second letter to the Thessalonians were written, we see therein the commencement of the embittered controversies which were so soon to convulse the Church. Objectors to Christianity may make the most of them, and that most is yet very little. No one supposes that even the apostles were free from human failings. Paul and Barnabas quarrelled bitterly. Peter dissembled at Antioch and was rebuked by Paul. Paul descended to subterfuge at Jerusalem, when trying to set at variance, for his own ends, the sects of the Pharisees and the Sadducees. He was led into acerbity and foolish boasting in the course of his long controversy with the Church of Jerusalem. In short, they were, as they said, "men of like passions" with ourselves who use God's word so glibly to condemn each other withal. Even the Master was provoked to anger more than once by crass opposition—and especially by the accusation that He had an unclean spirit (Mark III, 28-30). Former prophets were unbridled in their invective; and the denunciations of the prophet of Nazareth against those for whom He was completing obedience, whose imperfection He was about to perfect in His death, whom He was redeeming from imperfection's consequence with His blood, were hardly less bitter than those of the letters above referred to. He said that His opponents should die in their sins, when he was just about to purge them from their sins; He called them children of their father the devil, when just about to make them peculiarly the children of God.

Leaving, then, these denunciatory epistles to be read according to the spirit of their time, we will now turn to the Epistle to the Hebrews, hitherto attributed to Paul, and to that great stumbling block, his letter to the Jews of Rome.

(26). The Epistle to the Hebrews is, for the most part, an elaborate argument intended to convince the Jews of the correspondence of the Messiah's mission with their own system of worship, and with the priestly office of expiatory sacrifice. This was doubtless a presentation necessary to

conciliate the prejudices of Jews, but that it does not consist with the Christian conception of that mission has been the contention of this essay. As has been before said, such was not the presentation of that mission in the earlier apostolic letters; nor was it the idea present to the mind of the man Jesus, in so far as can be gathered from His reported utterances. He died, certainly, to purge our sins (Heb: I, 3), or to remove our imperfection,—but where in His words is to be found the idea of expiating our crimes by a sin-offering of blood to appease wrath (Heb IX, 7, 22 and 28)?

Indeed the writer (for the letter can hardly be Paul's) quotes, immediately before the similar utterance of Heb X, 12, that 40th Psalm which so clearly prophesies the nature of the Saviour's sacrifice, namely, a free-will offering, a love offering of sweet savour,—the obedience of man. To Jews the writer had to speak as a Jew; nevertheless, in his second chapter, he sets forth the clear Christian view of the perfecting of imperfect man by suffering (Heb II, 9 and 10) of the ending of his imperfection by death (Heb: II, 14)—both suffering and death voluntarily endured by the typical man in the perfection of His love and faith; and, in Him, by His kind, incorporate with Him by the love and faith which, as God, He has received power to bestow (Math: XXVIII, 18 and Heb: XII, 2).

Throughout the Epistle, however, runs the idea of limitation of the effect of this achievement, of free-will to accept or to reject its benefit, of judgment and fiery indignation against such rejection;—in short, instead of the Spirit of adoption, that "spirit of bondage again to fear" which Paul expressly disclaims in Romans VIII, 15. How far was the writer from the first fervency of love and trust left by contact with the Master, when he could think of our Father as a "consuming fire," and could say that it is a fearful thing for His own children to fall into the hands of the living God! (Heb X, 31 and XII, 29). And yet how noble is this letter! How Christian is the view of suffering as tender perfecting, as the sign of our sonship (Heb: XII, 5-11); and that statement of 'the end of our conversation,' the object of this our human stage of evolution, the 'issue of our life' (Heb: XIII, 7), "Jesus Christ, the same yesterday, and to-day, and for ever"! How sublime is the description of that faith which is the means of attaining this end—that Prometheus-gift which vivifies us with His life! Judaic though it is, there is indeed but little in the letter to the Hebrews for objectors to lay hold of in misinterpretation of the idea of Christianity.

(27) And now, of doctrinal writings, there remains only Paul's letter to Rome. In postponing to the last the consideration of this letter the object is convenience. It is



not intended thereby to infer its chronological place in the series of Apostolic letters, in the sense of the previous paragraphs (17) and (18). Indeed, in this letter, though at first for argument's sake employing the then accepted view of free-will to sin and of condemnation for sin, Paul subsequently most clearly unfolds his wider conception of God's love. The last two verses of his eighth chapter should place this letter very early in the series of those in which Christ's followers show the fresh impression of their contact with the Master.

Before discussing the letter let us first inquire how it is that, although "we have no power of ourselves to help ourselves," (Collect for the second Sunday in Lent), still the Master and His apostles are represented, throughout the New Testament, as calling upon men to act for themselves, as threatening them for persistence in disobedience, as bidding them flee from the wrath to come. How is it that Paul says to the Corinthians that we must "all appear before the judgment seat of Christ, that every one may receive the things done in his body, according to that he hath done, whether it be good or bad"?

The answer to this seems to be that it is the universal human method of speaking. The condition expressed in James IV, 15—"if the Lord will"—is always understood, consciously or unconsciously. We all understand, as a matter of course, that we are not free-agents. When the centurion bid his servant to 'do this,' it was tacitly understood that every movement and action of the subordinate depended upon an assistance which might be at any moment withdrawn. If, then, breathing, moving, speaking, acting, are thus conditioned, how much more repenting, amending, purifying of ourselves, seeking to God! This is evidently implicit in the commands of the Preachers. They mean 'go, sin no more, God willing' and they *know* that God is willing, always in His own good time.

When the Master, in reply to the Pharisees (Matt: XXII, 34) summed the law in two commandments: "Thou shalt love the Lord thy God with all thy heart, and with all thy soul, and with all thy mind", and "thou shalt love thy neighbour as thyself"—the word 'commandment' was plainly the human method of speaking adopted by, and adapted to, his questioners. The second law stated is but the corollary of the first: the love for the creature is the necessary out-come of love for the Creator. But whence shall come the love for the Creator? It is mockery to tell a person that he 'shall' love; love cannot be compelled, it *comes*.

Now the Master could not mock; He only stated a fact which is certain and evident, namely that, for union with the Central Love, connection must be established therewith; attraction must be set up to outweigh that mysterious eccentric

force which we see in the universe. As was said in paragraph 76 of the former essay, love is what we have of the Divine, it is our part in the Central Power of the universe, and exists consciously or unconsciously in all creation. But electricity is also a power existing in all things, and love, like electricity, needs connection before its power is developed.

Implicit, then, in the command to love God must be the understanding, that from Him will come the connection between Himself, the Central Love, and that principle of love which is implanted in the entire creation issuing from Him—of which principle, the attraction which we see governing all matter, is doubtless an unconscious exhibition.

As regards exhortations and commands the above may perhaps be regarded as a not unreasonable hypothesis. But of wrath to come, judgment, condemnation, award according to degrees of imperfection, (for 'good,' in man, can only express a degree of imperfection—"none is good save one, that is God")—of these conceptions of the Master, adopted by His followers, the only apparent explanation is, that they were Jewish conceptions, used by Him as a Jewish teacher of the first century for Jewish hearers of that day.

(28.) Then the further question arises—Why all this zeal for Christ, this eagerness to bring men to a condition which they are helpless to attain, and to which we are helpless to bring them? The answer is, doubtless,—'Divine nature.' We are helpless, certainly, to *do* anything for our neighbour, but the divine love with which the 'new birth' fills Christians must break forth. 'Love me love my dog' is an old proverb, and the overflow of our love to the Father *must* embrace His creatures. Even so much of the Divine as there is in the animal kingdom delights in sacrifice of its best to a loved object. Much more, then, when translated into the spiritual kingdom, when the connection spoken of in para. 76 of the former essay, between the Central Love and the power of love universal in nature, is established in the new birth—we long to make offerings of sweet savour in our efforts, powerless as we know them to be, to please the Father by benefiting His loved creatures. Moreover, though we can *do* nothing, it is granted to us to *will*. Our prayers, in those of the Intercessor of whom we are part, are doubtless a mighty power towards advancing the times and the seasons, of which even the Son is not aware, but "which the Father hath put in his own power" (Matt. XXIV, 36; Mark XIII, 32; Acts I, 7)

(29.) Having thus cleared the ground, we can arrive at a better understanding of Paul's endeavour to unfold the mysteries of Christianity to the Jews of Rome. In the first chapter of his letter Paul gives the view of evil as accepted

in his day,—namely that men with free-will refuse the knowledge of God, and are therefore given up by God, to do that evil against which God's wrath is revealed (Rom. I, 18 and 28.) That Paul himself did not hold this view appears further on, but he uses it to lead up to the first position in his argument against the Jews (Rom. II, 14)—who, wrapped up in their self conceit as descendants of Abraham, regarded themselves as peculiarly the children of God, and all others as reprobate. Granted says Paul, that, according to accepted ideas, award will go by merit (Rom. II, 6-10) then by merit it will be, and there will be no respect of persons; indeed of the Jew *more* will be required (Rom. II, 11-29.) But the fact is, relish it as the Jews may, that all idea of merit is as absurd (Rom. III, 9-20) as is the idea of special inheritance of God's favour (Rom. IX, 7 and 8.) All are equally unworthy, imperfect, helpless, and it is only in Christ's perfection that all, Jew, Gentile—even Abraham himself, can be "justified," or rendered meet for re-union with the Perfect (Rom. III, 21-31 and IV.) Paul does not go into the further question as to where Abraham's love and faith came from, whereby he shares in Christ's perfection,—whereby alone all men can share therein. Paul urges and invites the Jews to this love and faith, and the condition of the Father's gift of power is as implicit in Paul's exhortation as it was when Jesus of Nazareth invited the sick of the palsy to arise and walk, or when the Centurion ordered his soldiers to go and to come.

Again, in his fifth chapter, Paul uses received views in order to make his point—namely, that it is only in 'the obedience of Jesus' that mankind is perfected (Rom. V, 19.) We were helpless, and Christ fulfilled our obedience for us (Rom. V, 6)—God's loving scheme for His creatures' perfection thus providing for their at-one-ment or re-union with Himself (Rom. V, 8-11), and filling our hearts with the love and faith by which that connection with the Central Love is re-established (see para. 76 of the former essay, and the previous paragraph 27.)

(30.) Chapter VI of the letter to Rome is devoted to explaining the effect of this our obedience in Christ. Christ obeyed the law that imperfection must end in dissolution (Rom. VI, 23). Our imperfection died in Him on the cross, and we in His resurrection enjoy the gift of translation into the Spiritual Life. Speaking "after the manner of men" (Rom. VI, 19 and XII, 1 and 2) Paul appeals to the free will of his hearers to realise all this and to live accordingly—the condition of James IV, 15 being necessarily present to his mind, as it governs consciously or unconsciously, all directions of man to men.

Then Paul turns, in the seventh chapter, to explain the real circumstances of sin and imperfection—of which, in the

first chapter, he had, for argument's sake, used the accepted view. This he shows to be a thing inherent in our present state of development, while in the natural kingdom; and that the supposed free will "to refuse the evil and choose the good" is a mere conceit of that human pride which revolts from the recognition of its helplessness. First let the mind be humbled to realise this, and then it will cry, "O wretched man that I am! who shall deliver me from the body of this death;" and will thus be led to "thank God through Jesus Christ our Lord."

(31.) The eighth chapter develops this explanation (Rom. VIII, 5-8.) It shows that imperfection was so made for the very purpose of being perfected, and that its self-consciousness and suffering in that consciousness is a means to that end (Rom. VIII, 18-23)—a means insufficient, however, till He (Himself, in the person of His Son) assuming the condition of imperfection, incarnate into the natural kingdom, voluntarily accepts and uses that means in the perfect obedience of love and faith as man, and condemns imperfection to death, in His own human person (Rom. VIII, 3.) Incorporate in that person, by the love and faith which He bestows upon us in the 'new birth,' we share His obedience, His victory over imperfection in its death on the Cross, His resurrection into the Spiritual life, and His Sonship (Rom. VIII, 9-17.)

Though we still, while in the animal envelope, suffer by its imperfection, the Spirit, which has breathed upon us the 'new birth,' maintains the new life so given against infirmity and decay, and sends up the prayer of faith in the midst of this distress (Rom. VIII, 26 and 27.)

All things—even what we call evil, or imperfection, suffering and death—"work together for good" for God's creation, since first matter embodied God's will, till now that it has culminated in the man new born into the body of the risen Jesus. Before time was He predestinated His creation to be conformed to that body; through process after process during the countless ages He has called it; in an obscure corner of this obscure satellite of one among the countless suns of the universe, He has justified or perfected it; and in reunion with Himself He will—or, in the words of faith for which time does not exist, He *has* glorified it (Rom. VIII, 28-30.)

"What, then, shall objectors say to these things? (for there are Christian objectors as well as materialist objectors.) If He has given His Son, by whom and in whom is this creation, to thus bring back His creation into Himself, shall any one bound His giving (Rom. VIII 31 and 32); shall any one venture to say that He can repent of His gifts and calling (Rom. XI, 29)? "Who shall lay anything to the

charge of God's elect?" And who shall presume to limit God's elect? "Who is he that condemneth? It is Christ that died, yea rather, that is risen again, who is even at the right hand of God, who also maketh intercession for us. Who shall separate us from the love of Christ?"

And then comes the grand profession of faith in Rom. VIII, 38 and 39, a profession so beyond the reach of imperfect humanity even at the present day, so impossible for a Jew and a Puritan of that day, that it must be regarded as the immediate inspiration of God. And yet, if dispassionately considered, it is pure reason. Once admit that we are not the offspring of chance, but of a Living Being, then we must be like Him in some degree, and His feelings can in some degree be inferred from ours. What man is ruthless to his own workmanship? What father but pitieth his own children? The inference of David in the 103rd Psalm, is that of Jesus of Nazareth in the sermon on the mount, of Paul in his letter to the Jews of Rome. If we, consciously imperfect as we are, love our children, *how much more* does the Perfect Father? Do infirmity and imperfection estrange the earthly parent from his offspring, or would he remove both if he could? Is it, then, reason to imagine that the Almighty cannot do this, or that the All-loving will not? Let objectors take as the Christian creed the last two verses of the eighth chapter of Paul's letter to Rome, and stumble no longer over purblind views and partial presentations of that creed by lesser men.

(32) The next chapter of that letter has probably, writes Mr. Morison, in his 'Service of Man'—"added more to human misery than any other utterances made by man." Why so? Paul therein only expresses self-evident truth, namely, the helplessness of the creature; that "it is not of him that willeth, nor of him that runneth, but of God that sheweth mercy." Are we competent to judge for Him how this love is to work for us? Does not all nature teach the rule 'every one in his turn'? Can we suggest a better? Are we ready with a substitute for natural selection—for 'putting back,' for development by degrees? And what else does Romans IX describe but this method? Do the sceptics stumble only over Paul's manner of conveying scientific truth to the understanding of Jews of the first century? Doubtless, had he and they possessed the knowledge of the present day, Paul would have selected other words than those of Romans IX, 22 and 23. But suppose that, instead of speaking of men, Paul had been speaking of trees, and of the suppression of the less fit in order to promote the growth of the fitter, in a forest—would any one quarrel with his words? Paul is only describing a law of

nature, and that he understood the full extent of the law, and that such suppression or rejection is only postponement, appears from Romans XI, 11, 12, 15, 25, 26, 31 and 32. Do objectors who admire the method in the organic kingdom object to it on account of its universality? Or is it merely that they fail to apprehend what professor Drummond points out—that the writers of the New Testament, without meaning to be scientific, but meaning only to be accurate, have stated truths in the clearest terms of modern science?

(33.) To sum up the argument, then, it may be said that—putting aside the denunciatory Epistles for which the considerations stated in para. (25) may sufficiently account—there is nothing in the exposition of their Master's teaching by the followers of Jesus to justify that 'believe or be damned' presentation of Christianity, on which objections to Christianity are mainly founded, (objections other than the scientific objections dealt with in the former essay). It has been before admitted that there is much more ground for that presentation, and those objections, in the reported utterances of the man Jesus Himself, such as are quoted in the previous para. (13).

Of these utterances an explanation has been attempted in paras. (14) and (15); and the presentation really made by the man Jesus of the "great mystery" as understood by Him, has been set forth in para. (16). It is contended that this presentation,—supported as it is by the exposition of His teaching which is afforded in the letters of His followers—is the one which objectors should in fairness consider; instead of grasping at one which is discordant with human reason, with the analogy of Divine working in the universe as observed by science, and with our consciousness of God's love through its faint reflection in our own hearts,—even though the latter presentation may be put forward by some Christians on the strength of particular utterances such as are quoted in para. (13).

The explanation attempted of these utterances in paras. (14) and (15) may be worthless; no other attempt to explain them may be reasonable; if so, then they are dark sayings such as are many others attributed to the Master (*e. g.* Matt. XI, 12, and XVI, 19 and 28), and found in the writings of former prophets. As before said in para. (11)—that any finite intellect should fully understand the mind of Him 'whose judgments are unsearchable and his ways past finding out' is of course out of the question. All interpretations must necessarily be in a greater or less measure false. But "let God be true though every man a liar" He reveals Himself in His universe, and in our hearts, as love; and when our eyes are opened to see Him by the 'new birth', then faith in the at-one-ment of His creation with himself follows as a certain consequence.

(34.) It may not be out of place, in concluding this essay, to allude to a matter which perhaps affects, more or less consciously, the attitude of some persons towards the received ideas of Christianity,—namely the popular presentment of the Christian's hereafter. There are many who cannot conceive of an eternity of prayer and praise. There is to them something unreal and impossible, even repugnant, in the conception. They find psalm-singing and long devotional exercises wearisome on earth, and to do nothing but this hereafter is a prospect far from attractive. Others are full of energy—a quality certainly of Divine origin, however our imperfection may misdirect it; and they look forward with no pleasure to an eternity of rest.

But there is no ground for those popular ideas. "My father worketh hitherto and I work," said the Master, and is it to be supposed that the hitherto eternal order will suddenly be changed? The imperious need of work implanted in man is but a reflex of the energy of that source from whence he comes; as the activity of the universe which culminates in man emanates from Him of whose will it is the embodiment. Thus the future, like the past, may be assumed to be ceaseless activity—and also *joy therein*, when the imperfection which recoils from exertion has been perfected.

(35.) One rest, indeed, there is for the sons of God. the rest from the burden of imperfection under which "the whole creation groaneth and travaileth in pain until now." To mortal man this perhaps alone of those things which "eye hath not seen nor ear heard, neither have entered in the heart of man—which God hath prepared for them that love him,"—this alone is fully realisable. Constituted as we are, this anticipation must in life swallow up all others, even that which in approaching death will be yet more intense—the anticipation of reunion with God. Whatever a parent may feel in returning to long parted children, or children in rejoining their parents; whatever may be felt by lovers, wives and husbands, in reunion after weary separation; can be but a faint indication of the feeling of the man purged from sin, new born into Christ, whose connection with the Central Love has been re-established in an attraction which grows hourly stronger as he draws nearer to the Golden Gate. What must be the rapture of that man, when, as physical brain and sense reel and swim, the dawning commences on the opening vision, and he struggles to his release seeing, like Stephen, "the heavens opened and the Son of man standing on the right hand of God." But this cannot be realised now; in life it seems distant and unreal. With the bonds of the flesh and its imperfection still upon him, while he has only the brain wherewith to receive impressions, man

cannot rise to the height of realising reunion as keenly as he realises rest from the burden of imperfection. That, at any rate, comes home to us all—the anticipation of the intense relief when that burden will no longer weigh us down.

As Paul says, even we “which have the first fruits of the spirit, even we ourselves groan within ourselves waiting for the adoption.” If such is the longing of the new born man for this relief, what must be its realisation as the Gate is passed! Whatever we can feel on this earth in release from mortal pain, in respite from awful dread, in deliverance from utmost sorrow, can be absolutely nothing to the overpowering sense of freedom from the power of sin.

(36.) Then the intensity of the life! To a human being in perfect health and vigour, so far as such is possible, mere existence is a joy;—what must it be to the really perfect man, weighed down no longer by the grossness of the mortal nature! To him may truly apply that apostrophe of Shelley:—

“With thy clear keen joyance langour can not be:  
Shadow of annoyance never came near thee:  
Thou lovest; but ne’er knew love’s sad satiety.”

This last line, moreover, points to a special joy,—

“When with the morn those angel faces smile  
Which I have loved long since, and lost awhile.”

—and the love of earth is renewed in heavenly perfection, without misunderstandings or differences, as without coldness or change. For there shall be no more “sorrow nor crying, neither shall there be any more pain: for the former things are passed away.” Not only the reunion with loved ones gone before, but the vast capacity of love embracing all those who are beloved of the Redeemer—this must be a very keen delight; for when on earth are we happier than in the moments when we feel in charity with all men, and enjoy the exquisite luxury of sympathy and of doing good!

Finally, of those things prepared for us which *can* ‘enter in the heart of man’, one thoroughly realisable delight is the joy of work. With the vast development of energies which will accrue to us, what must be the keen pleasure of honourable, beneficent, successful, service—service of which we can see the results; free from failure, free from misconstruction and calumny; thorough, perfect, complete and appreciated with that “well done, thou good and faithful servant” which will be guerdon indeed.

(37.) Now, is an eternity of prayer and praise more conceivable, more consonant with and agreeable to human ideas? Will not the prayer and praise upspring perforce from hearts overflowing with joys like these, which can in some degree be



anticipated now—and with those other transcendent joys which “eye hath not seen nor ear heard, neither have entered in the heart of man?”

The human creature depicts the hereafter according to his own ideas of what is joy. The Red Indian imagined a paradise all hunting and fishing; the Norseman painted it all fighting and drinking; Mahomed conceived of it as all wine and women; to the Christian it appears all love and service and praise:—Never can it enter the heart of man on this earth, that “which God hath prepared for them that love him.”

H. GREY.

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### ART. III.—THE ADMINISTRATION OF JUSTICE IN BENGAL.

#### ARTICLE II.

**I**N a previous article\* I treated of the administration of justice in Bengal with special reference to the work and position of the Munsifs. I now propose to make some remarks on the Code of Civil Procedure, and the general results of our judicial system. But as the High Court's Reports for 1887 and 1888 have appeared since my first article was written, I think that I should begin by referring to some of the statistics contained in them.

There was a considerable increase of institutions in 1887, the figures being 489,796 against 471,066 for 1886, and naturally there was a corresponding increase in the decisions, the figures being 498,206 against 471,575. This rate of increase was not maintained in 1888, for in it the institutions were 478,116 and the decisions 488,607. There was thus a falling off of nearly 12,000 in the number of institutions. Still they were in excess of those for 1886 and other preceding years. The above figures include the work of the Calcutta Courts, but not that of the so-called Revenue Courts. The number of suits commonly instituted and decided in them is about 11,000, and it is noticeable that there was no diminution in 1888 such as occurred in the Munsifs' Courts and in the Calcutta Small Cause Court. On the contrary the institutions increased, there being 10,681 in 1887 and 11,107 in 1888. Probably, however, these figures include cases in which Revenue officers made out certificates of demand under certain special Acts. If so, the rise or fall in the number does not signify much, as it may depend on such a fortuitous circumstance as a change in the official staff.

It is difficult to say to what the falling off in institutions in 1888 is owing. It has occurred in the money class of suits, the drop in them amounting to nearly 20,000 (2,60,762 against 279,452 in 1887, and 2,73,782 in 1886), and it has been suggested that it is due to the passing of the Debtors' Act (8 of 1888) which has put difficulties in the way of the arrest and imprisonment of debtors. No doubt this is one of the causes, for a remarkable table in the Report shows that there

has been a great decrease in the number of cases in which debtors were sent to jail. During 1884-87 the number was always above 2,000, but in 1888 it fell to 915. The figures are the more striking because the Debtors' Act was not in force for the first quarter of the year. Another cause is, that a large class of suits has ceased to be cognizable by the Small Cause Courts. I refer to suits for ground rents which, to the great inconvenience of the public, can now only be brought in the regular Courts. They have therefore disappeared from col. 8 of Statement 2, though it is not clear where they have gone to, for in many cases they do not come within the provisions of the Bengal Tenancy Act. It would seem that the headings of Statement 2 require alteration. The passing of the Debtors' Act will hardly account for the decrease in institutions in the Calcutta Small Cause Court. It is too large to be so accounted for, and it began before the Debtors' Act was passed. It appears, too, that this Act has had less effect in Calcutta than in the interior. The decrease in the number of applications for arrest in the Calcutta Small Cause Court was considerable, but not enormous, there being 769 such applications in 1887 and 603 in 1888. This was not so great a fall as that from 1886 to 1887, the number in the former year being 987.

The diminution of business in the Calcutta Small Cause Court is very marked, and does not appear to be satisfactory. Curiously enough it seems to have been going on ever since the pecuniary jurisdiction was enlarged. "It is a remarkable fact," says the Report, "that notwithstanding the increased jurisdiction given in 1882, the number of suits instituted has considerably decreased. The returns for 1883, 1887 and 1888 are most conspicuous in this respect." In 1886 there were nearly 30,000 (29,216) institutions, in 1887 they were 26,811, and in 1888, 25,097. Some persons may regard the diminution with pleasure, and think that it points to a diminished litigiousness. It is very doubtful, however, if it is due to this cause. The litigiousness of the Bengalis has been much exaggerated. Long ago Sir Henry Strachey wrote—'Complaints are seldom or never litigious. I have seen some false complaints, and some conspiracies supported by false evidence; but suits simply litigious, brought forward merely from the quarrelsome disposition of the prosecutor, are not common. . . . out of 100 suits, perhaps five at the utmost, may be fairly pronounced litigious.' Seventy-three years later we find Mr. Field writing—"Much has been said here (in Sir Fitzjames Stephen's minute) and elsewhere of the latitude of appeal and of the litigiousness of the people of India; but I venture to say that a careful comparison of the Indian system and of judicial statistics will show, that there is very little, if indeed anything abnormal in these respects

in India, as compared with other countries.\* It is only doctrinaires like Mr. Whitley Stokes who can seriously describe it as a defect in the Code of Civil Procedure, that the courts are not expressly empowered to stay frivolous or vexatious suits. Such men bestride the poor land of India like Colossi, in touch with it only at the two points of Simla and Calcutta, and sublimely regardless of all that lies between. In all probability the decrease in the business of the Calcutta Small Cause Court is due to suitors having become wearied out with law expenses, and with the increased delay and difficulty in obtaining justice. In the report† for 1887, the High Court say that complaints have been made both by the Judges of the Small Cause Court and by the public, of the block in the despatch of the legitimate business of the Court. It is added that the Court has not overlooked the matter, and apparently this is all the consolation that the public has as yet got. The idea that expense and delay have caused the diminution of the business is supported by the fact, that the decrease has chiefly taken place in suits of small values: for example, in 1888 there was a falling off of 1714 in suits under Rs. 10 in value (9,310 in 1886 and 7,596 in 1887.) If statistics are to be trusted, it would appear that the falling off was not occasioned by want of success in realising decretal monies, for the figures for 1888 are in this respect better than those for 1886 or 1887. It may be doubted, however, if statement No. 6 is correctly prepared. If it is, the difference in the proportion of successful to unsuccessful applications for execution in the Calcutta Court and in the Mofussil Courts is remarkable. In the former, three fourths of the applications are more or less successful, while in the latter more than half of the applications are "wholly infructuous." This is the more strange as the powers of the Mofussil Courts are greater, and, as many of the applications to them are for the recovery of immovable property which cannot be made away with so easily as money.

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\* Mr. Field's remarks evidently were only meant to refer to the matter of litigiousness, though grammatically they also refer to the system of appeals. He admits that the great latitude of appeal is one of the most remarkable features of Indian Procedure.

† In the Report for 1886, the Judges of the Small Cause Court say, that they fear the decrease is to be attributed to the more cumbrous procedure which has been adopted since 1882, and to the fact that the smaller suits are shouldered out of the way by suits of higher value. "We are satisfied," they add, "that the usefulness of the Court, as a small debt collecting Court, has been much impaired." Perhaps it was a mistake to enlarge the jurisdiction of the Court. What Calcutta really wants apparently is, an Original Court which can try all cases above a certain value, and do so more cheaply and expeditiously than the original side of the High Court. It does not seem reasonable that the practice in the latter should be kept a close preserve for barristers. Such is not the rule in Madras,

It is doubtful if litigation is likely to increase much in Bengal. The tide has been rising for many years, but there are signs now of its slackening. The tremulous fluctuations that now begin to be observed appear to point to an approach to the zenith. The only things likely now-a-days to cause a fresh increase of suits, would be a reduction of Court fees, and the establishment of more Courts, but these are hardly to be looked for. We seem to have too much to do in providing for the external defences of India to have leisure or finances for internal improvements,—at least when these take the form of cheapening justice. More light would be thrown on the decreases and increases noticed in the High Court Reports if the field of observation were enlarged. The Debtors' Act applies to all India, and if it has reduced litigation in Bengal, it ought to have the same effect elsewhere. The only other Report for 1888 which I have seen is that for the Punjab, and according to it, litigation largely increased in 1888, (257,975 against 248,177 in 1887). The Lieutenant-Governor of Bengal annually reviews the administration of justice within his Province. Presumably other Governors do the same; but, so far as I am aware, no attempt is made by the Government of India to gather up these provincial reports into one general review of the administration of justice throughout the Empire. At least this is not done in any publication which is readily procurable by the public. The only general observations on the subject that I have seen, are in a memorandum by the Secretary of State on the results of Indian administration within the thirty years from 1856 to 1886. It is there stated that in 1856 some 730,000 suits were instituted in India, and that in 1886 the number was 1,908,869. A general review by the Government of India would not only be of high interest, but it would tend to produce a feeling of solidarity among our High Courts. At present, they work independently of one another, and Mr. Whitley Stokes, quoting Mr. Collett, complains that they do not show that regard for each other's decisions which is the habit of Courts of concurrent grade in England. There are certainly some points of practice which the High Court might settle in common. The rules about commissions for example, are different in the North West from those in Bengal, and yet the Bengal Courts have often to send commissions to be executed in the North West, and *vice versa*.

The apparent omission of the Government of India to review the judicial statistics for the Empire is the more remarkable, because the Committee which sat some years ago and devised forms of annual returns, appears to have contemplated that such a review should be made. The tables and statements of the Calcutta High Court are divided into two classes—Provincial

and Imperial—and forms of the second class are used throughout India.

Statement (Q), showing the average duration of cases exhibits an improvement on those for former years,—the average for contested cases having been brought down to less than five months. The Hon'ble High Court writes disparagingly of this return, observing that the Court has never attached much importance to it, as there is much reason to believe that it is not properly calculated. I am afraid that such a remark is not likely to make the Lower Courts more careful in preparing the return. Yet it would seem an easy thing to make the return correctly: all that is needed is, to count the days from institution to decision of each case, and the registers kept in every Court ought to allow of this being done. Surely the return is a necessary one and worth taking pains with. It is something to know that cases do not drag on now as they did in the early days of our administration. In February 1795 the Collector of Burdwan reported, that there were thirty thousand undecided suits on the files of the district courts:—

‘ I have reason to believe, he writes, “that the whole number of suits now undecided in the Adalat of this district, will be found to be not less in number than thirty thousand, and that half this accumulation of business in arrears, has taken place in the course of about nine months. To judge therefore from an experience of nine months, of the adequacy of the Court to answer the object of its institution, in which the due collection of the rents and public interest are immediately concerned, or, in other words, to estimate the excess of its business, beyond what, under its present constitution, human powers can perform, a computation may be made on the following grounds: Let it be admitted that the Court can get though ten suits per diem, which, considering that there is likewise a Faujdari (criminal) of constant and very considerable business to be supplied, and that every suit in the Diwani Adalat, whether for a large or a small sum, requires the same formality of procedure, is, I apprehend, the utmost that it can be supposed to perform; and allowing in the same estimate, that the Court sits for the dispatch of business every day in the year, not even Sundays excepted, the period required for it to clear off its present load of business, would be no less than between eight and nine years; at the end of which term, admitting the number of plants filed, or that the business of the Courts should be equal to what it has proved for nine months past. the load of business, instead of being perfectly gotten rid of, would be found increased in the number of one hundred and sixty thousand suits still pending, or more than five times what it is at present. It follows, therefore, that a man who at this time files a bill in the Diwani Adalat, and provided his cause be brought to decision in regular rotation, cannot look for redress of his injury to be afforded him in less than eight years; and that a man who, at the end of that period, should file a bill, could have no very good prospects of its being brought to decision in the whole term of his life; and, moreover, that the number of plants pending at the end of every year, should be found still accumulating in a ratio which would ultimately

prolong the prospect of decision beyond any assignable limits, and thereby destroy the purpose of an Adalat altogether."

The author of this appalling calculation was Mr. Samuel Davis, well known as a mathematician, and as a contributor to the early volumes of the *Asiatic Researches*. He seems to have had a grim satisfaction in applying his powers of calculation to a practical subject.

In commenting on this and similar representations, the authors of the 5th Report (printed 1812) express a doubt if things had much improved. They notice that the number of suits pending before the native Commissioners (Munsifs) at the end of 1801, was 131,929, and they observe—"Subsequent reports are not calculated to show that the difficulty of keeping down the number of cases depending on the file, has at all diminished, or that the means resorted to for that purpose have been as successful as was expected." They quote a letter from the Bengal Government showing, that at the end of 1802, the number of suits pending in Tirhoot, Dacca and Behar exceeded the number which had been decided or dismissed from the file in the course of the five preceding years. In 1812 the Court of Directors were so distressed at the accumulation of suits in Madras as to say—

"We should be very sorry, that from the accumulation of such arrears, there should ever be reason to raise a question, whether it were better to leave the natives to their own arbitrary and precipitate tribunals, than to harass their feelings, and injure their property, by an endless procrastination of their suits, under the pretence of more deliberate justice."

An article by Mr. Marshman, in the *Calcutta Review* for January 1845, is more encouraging. He writes—

Of the various modifications which have been introduced into our judicial institutions during the last fifteen years, one main object has been to prevent the lingering of suits in the various Courts, and to give the suitors the blessing of an expeditious decision, even when it was found difficult to give them a cheap or perhaps an equitable decision. So far as the rapid disposal of cases is a national benefit, it has been in a great measure attained in the Company's Courts at this Presidency. The average duration of a suit in the Sadar Court in 1829 was forty months; in 1843 it was only fifteen months. In the Zillah Courts, it has been reduced during this period from thirty-six months to six months and a half; in those of the Sadar Amin from ten months to five months and a half, and in those of the Munsif from six months and a half to four and a half.

In the same article Mr. Marshman speaks of the Munsif as being the poor man's judge, and says, that redress in 99 cases of Civil injustice out of a hundred, is given exclusively through the Munsif. This is rhetorical, unless Mr. Marshman is referring to the fact that decrees, even of other Courts, were

generally executed by the Munsif. Further on he tells us, that three-fourths of the suits instituted are preferred to the Munsifs. His figures are—total institutions for 1843, 180,303. instituted before the Munsifs, 136,474, *i. e.*, nearly four fifths of the whole. In 1888 the proportion of institutions before the Munsifs was still greater, 397,797 out of a total of 452,533 institutions in the Mofussil Courts having been preferred to the Munsifs: This gives a ratio of over seven-eighths, and, as was noted in my former article, the ratio will become still greater if the intention of the Legislature be carried out, and the Munsifs' jurisdiction raised to Rs. 2,000. Unfortunately the length of time that cases remain pending in the Munsifs' Courts has not been materially shortened since Mr. Marshman's time, if we exclude cases tried under the Small Cause Court procedure. It was then  $4\frac{1}{4}$  months, and now it is 3 months and 19 days. But it should be remembered that when Mr. Marshman wrote, Munsifs only tried cases up to Rs. 300 in value; it is not unlikely, too, that his figures include uncontested cases. No return appears to be made of the average duration of cases on the original side of the High Court. Accordingly to popular report, it much exceeds (at least for some classes of cases) that of cases in the Mofussil. Good as the results shown in Statement Q may be admitted to be, they compare badly with those attained in the quiet Punjab, where the average duration of contested suits is thirty days, and that of uncontested cases thirty-one days. Apparently it does not matter much there, as far as regards the expenditure of time, whether a defendant fight or flee. In either case he is rapidly disposed of.

In order, however, to judge correctly of the despatch of business, we ought to have a statement of the average duration of execution of decree cases as well as of original suits. It has often been said that in this country, a man's troubles begin when he obtains a decree, and the immense number of infructuous applications for execution lends support to the remark. This difficulty seems to exist all over India. The Punjab Court defends itself by saying that, though the proportion of infructuous decrees is large, it is not greater there than it is in some other provinces where the Courts have more time to devote to executive business. It also says, that it cannot be assumed that a high percentage of wholly infructuous decrees necessarily implies inefficiency of action on the part of the Courts.

#### *Codification.*

The Indian Government was early impressed with the desirability of codification. In 1793 Marquis Cornwallis began one of his Regulations as follows: "It is essential to



the future prosperity of the British territories in Bengal, that all Regulations which may be passed by Government affecting in any respect the rights, persons, or property of their subjects, should be formed into a regular code." These words were quoted and adopted by 37 Geo. III. c. 142, sec. 58 passed in 1797. No single Regulation or Act, however, contained all or even most of the rules of procedure. These had to be searched for in various Regulations and Acts, and in the Circulars and Constructions of the Sadr Diwani. Latterly the great resource of the Courts and of practitioners was Marshman's Guide to the Civil Law of the Presidency of Fort William. This work was first published at Serampore in 1842, and at a time when that town was still a Danish possession. A second edition was published in 1848. The work is a storehouse of information about our old courts and their procedure, and is not the least of the many benefits which have come to India from the now fallen settlement of Serampore. There was an earlier book—an Abstract of the Civil Regulations—which was compiled by Mr. Augustus Prinsep of the Civil Service. Shore praises this book highly, and says it will reflect lasting credit on Mr. Prinsep's name. But alas, who now knows of Mr. Augustus Prinsep or his book! \* One feature of the old system was a voluminous system of pleadings. Each party was allowed to file two statements of his case, and thus we had a plaint or answer, a reply and a rejoinder. These would be entered in the decrees, and hence such documents were often several yards long. Our legislators seem now to have erred on the other side, for they have enacted that in the large and important branch of the Civil Law, which relates to rent suits, no defendant shall be allowed to file a written defence without the leave of the Court. It is to be hoped that the Courts will always give such leave, for experience teaches that the filing of a written statement is a great safeguard against injustice, and that it also leads to a saving of time.

The Code of Civil Procedure was not passed till after the Mutiny. It was entitled an Act for simplifying the procedure of the Courts of Civil Judicature not established by Royal Charter. Though it only became law in 1859, it had long been on the anvil. It was, indeed, one of the outcomes of a statute of William the Fourth which was passed in 1833, and provided for the appointment of India Law Commissioners, who were to enquire into all forms of judicial procedure in force in British India. These Commissioners prepared a draft code.†

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\* Mr. Marshman, however, acknowledges his indebtedness to it:

† Apparently the first draft of all was made by Mr. Millett, for Mr. Marshman in the preface to his first edition, speaks of his obligations

This was revised in 1853 by Messrs. Mills and Harington, and then the revised draft was submitted to another body of Law Commissioners in England. Their draft was again revised and became law as Act VIII of 1859, the Bill being brought in and carried under the management of Sir Barnes Peacock. It was a first attempt, and defects were soon discovered in it. These were amended from time to time, but at last the superstructure of embodying Acts and case law became too great, and Act VIII was repealed and Act X of 1877 enacted in its place. This, however, was confessedly too hurriedly passed, and soon had itself to be amended by Act XII of 1879. Three years afterwards Act X was repealed, and Act XIV of 1882 was enacted. This, too, has been a great deal altered and amended especially by Act VII of 1888.

It would be a mistake to suppose that the Civil Procedure Code is of universal application. Much of it does not apply to the Small Cause and Rent Courts, and there are also parts which do not apply to the High Court. It is curious that the sections which prescribe the mode of recording evidence do not apply to the High Court. Hence that Court is freed from the embarrassing rule, that the evidence recorded must be read over to the witness. Theoretically it may seem proper that the witness should have an opportunity of learning if his statement has been taken down correctly, and, if this was the whole extent of the law's requirements, they might not be so impracticable. But the reading must take place in the presence of the Judge and of the parties and their pleaders. The law does not even allow of the record being handed over to the witness in order that he may read it quietly and at his leisure. Depositions often fill many pages, and the necessity of reading them over is no inconsiderable obstruction to business. Nor does it appear that any good results from the practice, for the clerk generally gabbles over the deposition, and the witness cannot follow him.

It will probably soon be found necessary to revise the Code and enact a new one; the provisions about the recording of evidence may then be amended.

Mr. Field has expressed a well founded regret that no machinery exists in India for working new material into the Codes during the intervals between the periodical revisions to which the Codes are subjected. He points out that a standing Law Commission was one of Austin's ideas for codification.

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to the Civil Code drafted by Mr. Millett, and says it has been superseded by the appointment of the Law Commission. An account of the labours of the Law Commission will be found in Mr. Phillips' article on "Indian Codification" in this Review for April 1889.

There can be no doubt that the Code has been a great boon to India. It has introduced order where there was formerly chaos, and it has in common with the other Codes, been a powerful educational instrument. Section 10 which declares that no person shall, by reason of his descent or place of birth, be, in any Civil proceeding, exempted from the jurisdiction of any of the Courts, is in itself a Charter of Rights, and a proclamation of the gospel of equality. It is not, indeed, the case that this principle was enunciated for the first time in the Code of 1859. It first appeared apparently in Act XI of 1836, and its operation was extended in 1843 to the Courts of the *Munsifs*.\* Complaints have been made about the *res judicata* section, and about the needless elaboration of the provisions about discovery and inspection, and of the demoralising effects of the affidavit-system, but it is difficult to see how such defects, if they be defects, could be remedied.

(*Costliness of our Courts*).—What really is a melancholy reflection is, that the goodness of the Code does not prevent our system of distributing justice from being expensive, dilatory and uncertain. Substantive law is for the most part still uncoded, and is therefore vague and uncertain. Our Courts, also, are too few in number and too expensive. It is difficult for a poor man to get justice except at a ruinous loss. All the good that the Code has done would probably have been exceeded by a simple measure reducing the amount of Court fees! Some years ago there was a great agitation about altering the Rent law. Many able men took part in the discussions, and the Bengal Tenancy Act has been hailed as a great triumph of legislative skill. But the grand objects of enabling landlords to get their rent, and of protecting the ryots from evictions, would have been better secured by the stroke of some autocrat's pen halving or quartering the institution fees, than by the elaborate provisions of the new Act. The costliness of our system is the great objection to it, and one which goes far to neutralise its advantages over rough and ready modes of dispensing justice. The institution fees are not the only ones which press heavily on the people. Indeed, suitors say they do not care so much for them as their amounts are fixed and known, and they can avoid them by not going into Court. But it is hard to stop when once one has embarked on litigation; and it is after this that the miscellaneous charges, such as copying charges, affidavit charges, witnesses's expenses

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\* Previous to 1793, British subjects residing in the interior could only be sued in the Supreme Court, but by Regulation 28 of that year, no British subject was allowed to reside more than ten miles from Calcutta, unless he gave a bond binding himself to submit to the jurisdiction of the local *dewani adalat* in all suits not exceeding Rs. 500 Sicca in value.

begin. Take for example the paper books, *i.e.*, printed translations of pleadings so generally required in the High Court. Their cost is often out of all proportion to the value of the property in suit. It is curious that when Sir Charles Wood penned his dispatch in 1862, he suggested that the necessity for translations might be obviated by constituting Division Courts of "Judges trained in the country, whose knowledge of the Native language would obviate the expense and delay of translating the proceedings." We have now not only Judges trained in the country, but Judges who are Natives, and yet one does not hear of translations being dispensed with. Apparently, paper books in English are required even though the Divisional Bench may consist of two Bengalees! In such a polyglot country as India, translations must occasionally be necessary, but this is a very different thing from making translations the rule. In very many cases a transcript in the Roman character would be all that was required. For example, few can read a Marwari's document, but most men who have learned as much Hindustani as is contained in Forbes' Manual, could, with the help of a dictionary, make out the meaning of the paper when set before them in the Roman character.

The necessity, however, for translations or transliterations could be greatly reduced by the establishment of Appellate Benches, as was proposed some years ago. These would, in fact, be only a revival of the Provincial Courts of Appeal created by Regulation V of 1793. There were four of these, *viz.* at Alipore, Dacca, Murshidabad and Patna. We have now Orissa to manage, and also Assam, so that it might be necessary to have five Appellate Benches. If the Patna Appellate were composed of judges familiar with Urdu and Nagari, the Orissa Branch of Judges familiar with Oorya and so on, their would be little or no need for translations. The work of the Post-Office would also be reduced. It almost makes one dizzy to think of the enormous quantities of judicial records which are continually passing to and fro between Calcutta and the Mofussil. They seem to darken the air like—

"The unaccomplished work of nature's hand

Abortive, monstrous or unkindly mixt."

which filled the limbo traversed by the fiend on his-route to Eden

#### *Court Fees.*

There seems no doubt that the institution fees in India are higher than in other countries, though India is notoriously a poor country. Sir Richard Garth, writing in England, says "People here would hardly believe, that before a man can bring a suit in India upon a bond for Rs. 10,000, he has to pay a duty to the revenue of Rs. 475." When Marquis Cornwallis introduced his new system of Courts, the institution fees were

abolished. It is stated in the 5th Report that this indulgence was soon found to be productive of such an inundation of suits, as was likely to put a stop to the course of justice altogether, and so Government was obliged to have recourse again, in 1795, to an institution fee, as well as to fees on exhibits. Similarly Mr. Field tells us, that it was soon discovered that it was possible to make justice too cheap, and that the result of abolishing all fees was to encourage groundless and litigious suits. Mr. F. J. Shore, however, states that Cornwallis's system had not a far trial, and that the real cause of its failure was that a sufficient number of Courts were not established. He also says that the plan was radically wrong in one respect, that of excluding all natives of respectability from any share in the government of their own country. Similarly, Sir Henry Strachey says: "The fact appears to be this: when the business of the Civil Courts became too heavy for the Judge, which very soon happened, instead of appointing more Judges, it was resolved that, to prevent the accumulation of causes, it was necessary to check the spirit of litigiousness which was supposed to produce it." We learn from the 5th Report how ruthlessly the new engine for suppressing law suits was worked. The Regulation of 1795 had retrospective effect:—

"Causes already instituted were, for the greater part, got rid of by a requisition for the deposit fee to be paid on them within a limited time. The suitors, in general, being from local distance uninformed of what has intended to be done, or from want of confidence in their cause, indifferent to it, or from poverty unable to avert it by the payment required; no greater number of suits remained on the file when the period for dismissing them arrived, than appeared to be manageable; and the Judges recommenced the exercise of their functions, so far disencumbered, as allowed them to entertain a better prospect than had yet been enjoyed, of their being able to fulfil the object of their several appointments."

It will be seen that one of the provisions of the Regulation of 1795 was to levy fees on exhibits. It has been proposed to revise this system, and it has been urged that the plan of charging fees from time to time and according to the work done, *e. g.* for each hearing day, is more equitable than that of charging a heavy institution fee, which is the same whether a case is defended or decided *ex parte*. It would appear from Sir Henry Strachey that the plan did not work well:—

"It is not the original fee on the institution of the suit, but the subsequent charges on exhibits and on witnesses, that appear to be intolerable. I have often seen a suitor, when stripped of his last rupee and called upon for the fee on a document, produce in court a silver ring or other trinket and beg that it might be received as a pledge; and after all, perhaps, he was cast for want of money to bring proof. I confess, I think such scenes in a Court of Justice, unpleasant to those who are entrusted with the administration of justice, and not very creditable to Government."

Indian Governments have tried many contrivances for defraying the expense of administering civil justice. Probably in old times judges was chiefly paid by nazars, or presents. Orme in his paper written in 1753, thus describes the mode of instituting a suit :—

‘ The plaintiff discovers himself by crying aloud, Justice! Justice ! until attention is given to his importunate clamours. He is then ordered to be silent, and to advance before his judge ; to whom, after having prostrated himself, and made his offering of a piece of money, he tells his story in the plainest manner, with great humility of voice and gesture, and without any of those oratorical embellishments which compose an art in freer nations.

‘ The wealth, the consequence, the interest, in the address of the party, becomes now the only considerations. He visits his judge in private, and gives the jar of oil ; his adversary bestows the hog which breaks it. The friends who can influence, intercede ; and excepting when the case is so manifestly proved as to brand the failure of redress with glaring infamy (a restraint which human nature is bound to reverence) the value of the bribe ascertains the justice of the cause. This is so avowed a practice, that if a stranger should enquire, how much it would cost him to recover a just debt from a debtor who evaded payment, he would everywhere receive the same answer—the Government will keep one fourth, and give you the rest.’

The above quotation refers to the Mohamedan practice of levying from the successful party a share of the property recovered. This had the merit of making payment depend on the work done. The share was commonly a fourth, and hence was called Chauth.\* This cess, as well as the similar cesses of Panchatra (one-fifth), Dasatra (one-tenth) and Itlák (fees for deliverance, *i. e.* decision) were abolished absolutely and for ever by Warren Hastings in 1772.† But it is a mistake to suppose that all institution fees were then done away with, and that justice was perfectly free down to 1795. Mr. Field explains that this was the case, (p. 167) but it is certain that if fees were abolished in 1772, they were re-imposed long before 1795. This appears from Cornwallis's Minute of 11th February 1793. In paragraph 53 he writes, that the 44th and 45th articles of the judicial Regulations ‡

\* According to Wilson's Glossary, the Chauth was probably only 4 annas per Rs. 100.

† These cesses were abolished by article 16 of the Regulations of 21 August 1772, but the exemption was followed by the curious proviso, that in order to curb and restrain trivial and groundless complaints, the Court had a discretion in most cases to impose a fine not exceeding five rupees, or to inflict corporal punishment not exceeding twenty lashes with a rattan, according to the degree of the offence and the persons station in life. In those days kicks were apparently four times more plentiful than rupis (Colebrook's Supplement, p. 4)

‡ The reference is to the General Regulations passed in Council on 5th July 1781. (Colebrooke's Supplement, 66.) This General Regulation

which require a deposit of from two to five per cent. from the plaintiff upon his institution of a suit, should be abolished. His Lordship goes on to remark that the two Regulations in question were enacted to check the supposed litigiousness of the natives, but that the number of causes depending in the several Courts, is a proof that the Regulations have not been productive of the intended effect.

"The fact is that the evil which this regulation is intended to obviate is ascribed to a wrong cause. It is not to be attributed to the litigiousness of the people, but with more truth to the dilatoriness and inefficiency of the administration of justice. From the Collectors \* not having time to attend to the judicial business, many years often elapsed before suits were brought to a decision. This delay encourages the evil minded to withhold what is due from them, or institute prosecutions to gratify private resentment. They are certain that a great length of time will elapse before the cause is brought to a decision, and trust that by some means or other, they shall be able to force their opponent into a compromise or obtain their ends. If they have the property in their possession, they are, at all events, sure of enjoying it until the decision of the suit. The above causes account for the many thousand claims that are now depending in some of the Courts.'

The truth then is, that the system of cheap justice never had a fair trial in India. Cornwallis introduced it in 1793, but he did not provide sufficient conduits to carry off the rush of suits, and so there was stagnation and overflow. And no sooner was his back turned, then Lord Teignmouth reverted to the old system and re-established institution fees. Instead of the system of cheap justice being twenty years in operation as some have thought, it barely lasted for two, for Cornwallis's

consisted of ninety four articles, and was partly founded on a code prepared in the previous year by Sir Elijah Impey. Among the declared objects of the General Regulation was the forming of a consistent code, and the establishment of one general table of fees in and throughout the Courts of Mofussil Diwani Adalats,—and the enabling the inhabitants to known to what Courts they should apply for justice, and "that learning the utmost of the costs which may be incurred in their suits (they) may not, from apprehension of being involved in exorbitant and unforeseen expenses, or of being subjected to fines or extortions of the officers of the Court, be deterred from prosecuting their just claims." Buick referred to this institution fee in his speech on Fox's East Indian Bill, delivered 1st December 1783. "To maintain these eighteen Courts (the Civil Courts established 1781), a tax is levied on the sums in litigation of 2½ per cent. on the great, and of 5 per cent. on the less. This money is all drawn from the provinces to Calcutta. The Chief Justice, the same who stays in defiance of a vote of this House, and of His Majesty's recall (Sir Elijah Impey) is appointed at once the treasurer and disposer of these taxes, levied without any sort of authority from the Company, from the Crown, or from Parliament.

There was a similar provision, for the levy of a percentage on suits in the Regulations of 11th April 1780 (Article 36, Colebrooke p. 21.)

\* The Collectors were from 1787 to 1793 in charge of the Civil Courts.

Regulations were passed on 1st May 1793, and Regulation 38 of 1795 imposing institution fees, was enacted on 10th April 1795. It is well known, too, that the plan of stopping litigation by institution fees did not succeed, and that in 1799 a special law and special forum had to be erected for the disposal of rent-suits. I do not say that Cornwallis was right in abolishing institution-fees or that his successor was wrong to re-impose them. This is a point of procedure which is still unsettled. But the supporters of Court-fees ought not to say that the system of free justice has been conclusively tried in India and been found to be a failure.

Regulation 40 of 1793 is remarkable as the first step taken by the British Government for the extensive employment of natives. It created a body of men called native Commissioners who were to be employed in three ways, *vis*, as referees (Amins) as arbitrators (Salis), and as Munsifs. Their powers were limited to cases not exceeding fifty-six rupees in value, and the Munsifs could only take cognisance of cases against under-renters or ryots. Mr. Field in his excellent edition of the Regulations observes, that natives had been employed in this way from the beginning. Article 11 of the Regulations of 1772 directed that all disputes of property not exceeding ten rupees should be decided by the head farmer of the pargana to which the parties belonged, and that his decree was to be final. "Regulation 40 of 1793 however largely extended their (natives) employment and jurisdiction. Those who say that the system of Lord Cornwallis wholly closed the public service against natives, appear not to have sufficiently considered the provisions of the Regulation." But perhaps Mr. Field, when he wrote thus, had forgotten that the Native Commissioners received no pay either for themselves or their establishments. Their office was purely honorary, and was perhaps not a little burdensome. Regulation 78 of 1795 amended their position, by giving them the institution fees, *vis*., one anna on the rupee, or rather more than six per cent. of the value of the suit.\* We should give honour to whom honour is due. Lord Cornwallis was a high-minded nobleman, but he certainly did little for the advancement of natives. The pioneer in this respect was apparently Lord William Bentinck. It is probable, however, that Lord Cornwallis was on the right track when he tried to enlist the aid of intelligent native laymen in the administration of civil justice. His scheme was that landed proprietors, creditable merchants, traders and shopkeepers should be appointed native Commissioners and

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\* The Commissioners, however, only got this fee when the suits were decided on the merits, or were compromised, so that presumably they did not get it in the majority of cases.



should get powers as Munsifs, if the Judges and Sadar Divani approved of them. I think it is to be regretted that there is nothing in Bengal corresponding to the village Munsif in Madras. The point where our system breaks down is in its dealing with petty cases. We cannot dispose of suits under Rs. 10 in value with sufficient economy and despatch. Why should we not have a system of Honorary Munsifs corresponding to that of Honorary Magistrates which is said to have worked so well, and which, at all events, is a necessity. There are many retired pleaders and judicial officers in the Mofussil who could be vested with civil powers.\* The great advantage of the plan of Native Commissioners was, as remarked by the authors of the 5th Report, that they could be indefinitely increased in number at no expense to the State. As a matter of fact the bulk of the judicial work was done by them. For example in 1801 the native Commissioners disposed of 328,064 cases, while the judges and their assistants, (known as Registers) only disposed of 22,422. A table given by Harington, p. 98, shows that for the year 1797 to 1801, the cases decided by the Native Commissioners in Bengal, Behar, Orissa and Benares were counted by lacs, and those by the Judges and their Registers by thousands. The actual figures are 16,14,801 by the native Commissioners, 17,844 by the Registers, and 7,082 by the Judges. Harington observes on these figures that they show the absolute impossibility of providing for the trial and decision of the numerous cases of litigation which occur in these extensive and populous provinces, without the aid of some description of inferior judicatures under Native superintendence.

In 1803 the powers of Native Commissioners were enlarged by the appointment of Head Commissioners or Sadar Amins, who had jurisdiction up to Rs 100. The Native Commissioners were badly paid, and perhaps, sometimes badly selected, and they occasionally were unsatisfactory. They seem, however, on the whole, to have done their work well. The following is Sir Henry Strachey's account of them (9th Report p 541.)

When a Native Commissioner is tolerably qualified, and incorrupt, no great knowledge of the Regulations is requisite; he decides with the greatest ease a vast number of causes. He is perfectly acquainted with the language, the manners, and even the persons and characters of almost all who come before him. Hence perjury is very uncommon in his Court. To us, his proceedings may appear frequently tedious or frivolous, and generally, irregular and informal; but we are very apt to judge from a false standard. I am fully convinced, that a Native of common capacity will, after a little experience, examine witnesses and

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\* I notice that a suggestion to this effect has recently been made by Babu Janoki Nath Roy at a meeting of the Bengal National Chamber of Commerce.

investigate the most intricate case, with more temper and perseverance, with more ability and effect, than almost any European. The Native Commissioners decide only petty causes, and their emoluments \* are but scanty. They occasionally find difficulty in maintaining their authority, but they should always be supported against the contumacious. Their procedure, as far as I have had occasion to observe, is, with few exceptions, just what it ought to be. they hear and write down almost whatever the parties may choose to say; and it is not a small advantage that they are able to sit the whole of the day, without being incommoded by heat or crowds; that they listen to and understand every one, and that they are seldom provoked either by their amlah or by the parties to lose their temper. They sit from morning till night on a mat under a shed or tent, or in the porch of a house, and attend to every petty dispute of the ryots with a degree of patience of which we have no idea, till they develop the merits and decide the suit. I cannot help wishing, that their situations were more respectable in a pecuniary point of view; and that they were empowered to decide causes to almost any amount. At present, in this Zillah, (Midnapore) few of the Native Commissioners can earn more than a bare subsistence; therefore, it cannot be expected that the best qualified and most respectable men should undertake the office.

When a suit is filed in a Munsif's sherista, it is taken up immediately—there is no time or opportunity for the fabrication of a defence, or subornation of perjury. The Munsif is as it were, in the society of the parties, and they cannot easily deceive him. But if that cause comes before the Zillah Judge, besides the inevitable delay and expense at the outset, the case is probably wholly changed; intrigue and counter complaints occur, the most impudent falsehoods are advanced with impunity, and on that, perhaps, an erroneous decision is passed. Should it here occur that very few, if any, natives are qualified from habit and education to pronounce a decision, or to comprehend a complicated judicial case; that the range of their ideas is too narrow; that their minds are cramped, and that they possess not that vigour and perseverance, and those enlarged views, which would enable them to perform the duty of judges: if there is any one of this opinion, I would take the liberty to ask, how it is possible that natives in general should, in the miserably subordinate and servile employments to which they are confined, have qualified themselves better? I would observe how very easily they all acquire the requisite qualifications for the duties which we are pleased to extend to them. I would ask, who can doubt that they would very shortly, if not depressed and dispirited, become at least equal to the functions they performed, before we came among them.'

Sir Henry Strachey was evidently a gentleman of benevolence and intelligence, and was no doubt an excellent public servant. But many of his views are such as are unfashionable now-a-days, and would, I suppose, be set down by many as shocking instances of prejudice. He seems almost to have preferred such *pred poudre* Courts as those of the Native Commissioners to our elaborate Adalats. His remarks were

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\* Written in January 1802.

made in answer to interrogatories circulated by Lord Wellesley. One of them was—Has the moral character of the inhabitants in general improved, or otherwise, by the system established by the British Government for the administration of the laws, and for the conduct of the internal administration of the country? The following is part of his reply—

I beg leave here to offer it as my opinion that little morality is learnt in any Court of Justice. In Calcutta, I have reason to believe, the morals of the people are worse, in spite of the severity of the police, and of the English laws. Nor do I attribute this solely to the size, population, and indiscriminate society of the capital; but in part to the Supreme Court. I scarcely ever knew a native connected with the Supreme Court, whose morals and manners were not contaminated by that connection. In mentioning this evil, which I by no means attribute to individuals, I trust it will not be imagined I mean to speak generally with disrespect of the institution of the Court itself.

*Note :—*In the *Gazette of India* for 11th January last, there is a Resolution on the cost of Civil Justice in India, according to which the expenditure exceeds the receipts by 12½ lakhs. Only in Bengal is there any surplus, and that is stated to be 14¾ lakhs. In making the calculations, the value of the court-fee stamps on probates, letters of administration, and certificates was excluded. It is difficult, however, to see why these receipts were excluded. They are the product of the work of the Civil Courts, and if the latter did not exist, the fees could not be collected. At all events, if these receipts are to be excluded, then the salaries of Judges when they are engaged in trying Will cases, &c. should not be charged against Civil Justice. The labour employed in these cases belongs to the most expensive department of the judicial machinery, for it is that of High Court and District Judges. It cannot be doubted, I think, that about a thirtieth part of the time of the District Judges in Bengal is taken up with the trial of Will cases, &c. In other words the annual salary of one Judge (Rs. 30,000) should be struck out of the expenditure on Civil Justice if the receipts from probate-stamps are excluded. A similar deduction should be made in the case of the time of the High Court Judges. Probably, the total amount to be deducted (including the salaries of ministerial officers employed on Will-cases, &c.) would be considerably over a lakh of rupees.

H. BEVERIDGE.

#### ART. IV.—CAMEOS OF INDIAN DISTRICTS.\*

##### *II—Cuttack and Balasore.*

THIS cameo was called Cuttack and Balasore, but the first part of it treated of Balasore alone. I propose giving an account of the larger and more important District of Cuttack in this paper. After the varied features of life and work in Balasore, it seemed at first sight as though a description of Cuttack would, of necessity, be common-place. The work certainly does not present anything like the variety which characterized a Collector's work in Balasore. Political duties and their judicial accompaniments, no longer occupy his attention. He lies widowed of the power in the eye which bowed the world of Kols and Sonthals. But the duties are still something out of the usual routine which an ordinary district furnishes, and there is an amount of novelty in the place itself which marks Cuttack as something different to the average Bengal District. To begin with, the mariner, as in Balasore, comes across one's sphere. To attend to his wants one must go to Hookey Tollah, where oysters, such as I have never seen out of England, abound. They thrive in the low jungle growing at the edge of the water, and range from the size of an ordinary English Native up to about that of a *sola topee*. The smaller ones are almost equal to English oysters, and the larger ones are excellent for cooking purposes. I mentioned in my last paper that a Collector's duties included those connected with the Church. I little thought when writing it how soon the truth of my remark was to be illustrated. The Padre was away on outstation duty when a very brunette pair insisted on my marrying them before the Padre's return. So well and truly did I tie the knot, that some time afterwards another pair came for the same purpose. They could not plead urgency, so I declined the task. The fact of the first couple having come about a month after the ceremony, to beg from me, and to *claim* my assistance on the ground that I had joined their future lives together, may have had something to do with cooling my ecclesiastical ardour. To my great astonishment I was asked on joining the District to act as Commandant of the Volunteers. Now I know something about the sea from my early bringing up on the west coast of Ireland, but, of the pomp and circumstance

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\* Continued from No. CLXXVII for July 1889 p. 140.

of war, I am profoundly ignorant. I did, it is true, see the streets of Sligo once cleared by a charge, but that, I felt, hardly qualified me to consider myself a man of war. I played more the part of a newspaper war correspondent on the occasion of the charge as I watched it from the windows of the Post Office. I have been now for nearly two years at the head of the corps, and I have never repented taking up what appeared at first to me to be an utterly incongruous post. It has enabled me to know a lot of men amongst the poorer members of the corps, of whose life and ways one would have been ignorant, and to see in them a capacity for coming together and enjoying themselves at cricket, on the stage, and at the festive board, which one does not associate in one's mind with the Eurasian. Some of these men support families on very small pay. They (I speak of those in Cuttack), are a sober, well-behaved set of men, and one's sympathies for that class, which have always been strong, have not been weakened by knowing them more intimately in the ranks of a Volunteer Corps.

Now, I suppose, it is time I told people something of Cuttack and the district. The great evil of Cuttack is that it is so cut off from the outer world. You can only go comfortably to Calcutta twice a week. You can go on other days by the Coast Canal, but the Coast Canal steamers go in for pilgrims alone, and do not profess to feed and look after the ordinary first-class passenger. Now, a pilgrim from the time of John Bunyan downwards is an interesting study. He is a person for whose benefit you would build a hospital or introduce a Lodging House Act—but, in large numbers, on a small steam launch, he ceases to be interesting. When he lies of a hot night outside your cabin door, and that too at the bottom of a lock, he becomes utterly uninteresting, not to say objectionable, and you begin to wish him in his hospital or his lodging house, or anywhere out of your neighbourhood. Your returning pilgrim too exercises a depressing effect from a spiritual point of view. He has been to Puri and has seen the great god, but he is returning a sadder and a wiser man. He has, it is true, been enriched by an umbrella, and a parcel of objectionably smelling food, but he is weary and foot sore and completely robbed. The difference between the pilgrim setting out for Puri and the same man returning, is about as striking as that presented by the French soldiers when escorting the ammunition waggons labelled A' Berlin, out of Paris, and the same individuals seated in those waggons on their way to Berlin as prisoners of war. We were once the victims of a carriage accident, or, rather the *budsati* of a horse on the Grand Trunk Road, and I asked certain returning pilgrims to drag the carriage for a mile or so until we got assistance. They willing did so, and when

given a gratuity, one of them said : " We should have run it in easily before we *went* to Puri, but *now* all our strength is gone." It is to be hoped that the honour paid to the returned pilgrim at home compensates in some way for the hardships he endures on the journey, otherwise he must feel that he has spent his strength for that which profiteth not.

I began to describe Cuttack, and I have digressed to pilgrims. However, to return, I was not so sure that the inaccessibility of Cuttack is an unmixed evil. It is so, perhaps, in the two hot-weather months when the canal is closed, and it is almost impossible to get supplies from Calcutta, the land at this time being thirsty ; but otherwise, people in Cuttack seem reconciled to their exile. In the first place the fact of being in an out-of-the-way station, draws people together more than if Calcutta is easily accessible, and Calcutta amusements can be easily got at. Cuttack people have to get up their own amusements, and they are fairly successful in doing so. There is an Amateur Dramatic Society which will compare favourably with any other provincial troupe. There are tennis, racquets, billiards and whist, and there is a full Madras regiment there with an excellent band. So that little dances, for those who care for such frivolities, are not of rare occurrence. As for religion, you can fairly revel in it. There is a well attended English Church. There is a Roman Catholic Church, and a strong Baptist element. Swedenborgianism is represented, though the Church is but small as yet. So no man need complain of want of variety in things spiritual. The inaccessibility of Cuttack, too, keeps the place free from professional politicians. Sea sickness is a powerful deterrent to patriotism, and he who would come to Cuttack to preach Liberty, Fraternity and Equality runs the risk of having to sacrifice to Neptune both going and coming. So the foreigners that come to Cuttack come for the more prosaic object of earning their bread, and those that want a field for oratory have the Municipality to play with and are happy. Orators are however few in number. The daily round, the common task of arguing cases in Cutcherry, gives occupation to most of the foreigners from Bengal. Moreover, an agitator too has a public utterly unsympathetic as regards anything which cannot be reduced to rupees annas and pies. The average Oorya is without exception the most extraordinarily unsympathetic being in India except where his own interests are concerned. Then, he is all there. His usual mode of argument is to lie at full length on his stomach on the ground, while he gently beats the earth with his head, so as not to hurt himself but to intensify the grovel. He stays there for an indefinite time, generally until you want to go out for a walk and don't care to walk over the uneven surface presented by a number of Oorya bodies, and get the chuprassi

to remove them out of the way. This does not daunt him ; he is sure to be there when you come back, or, if you escape him by returning by another route, he is in waiting for you next morning. This mode of argument is generally used when the Oorya wishes to evade the payment of his rent or any other just due. It is much in vogue too, when he wishes to persuade an official that a famine is raging in the land, and that gratuitous relief is absolutely necessary to prevent the country perishing *en masse*. Why they do it is a mystery, for the dodge would not take in even the most rabid Radical globe trotter with his preconceived ideas of the indifference shewn by the average official to the most acute forms of (native) human suffering. It has been said by an old Orissa resident, that the importunate friend in the Bible was an Oorya, and there must be some truth in it. Some people think that the Oorya is an abject, innocent, down-trodden sort of person : one whom the zemindar robs with impunity, and one who has no idea of protecting himself. Those people do not know the Oorya. They have certainly never had any dealings with him in business. A Yankee Jew of Scottish extraction brought up in York—if there could be such a person is not so close about his money or so artful in keeping it back when it is justly due, as is the man who grovels at full length at your feet as though he were prepared to sacrifice his life at your wish." One instance will illustrate, better than much witting, how well able the Oorya peasant is to look after his interests. On the Mahdubpore estate there is an immense quantity of waste jungle land. Under the rule of the Rajah, people had no inducement to clear this land, for, when they did, it was promptly assessed and rent was demanded for it. So the jungles were left uncultivated. The Court of Wards gave inducements to the ryots to clear these jungles and the work of clearing has begun. Besides these jungle lands, there were several acres of land producing what is called Bena grass. This grass grows naturally and is used for thatching. The lands on which it grew were promising, but the ryots did not, under native rule, take the trouble to bring these under cultivation for the same reason that they did not clear the jungles. When the Court of Wards came into possession and the ryot saw that there would be a return for his money, he promptly cleared away the Bena grass and commenced to sow paddy. He then had the effrontery to call this clearing jungle, and to object to pay even the rent he paid before for the land when it was under thatching grass.

The physical aspects of the station of Cuttack are singularly pretty. The town is built on an inland formed by the junction of the rivers Mahanuddy and Katjouri. The banks further from Cuttack are fringed with well-wooded hills, and in the rains, when

the rivers are in flood, the view, either from the Commissioner's house or the Katjouri, or from the backs of the houses in the cantonments looking on the Mahanuddy, is singularly picturesque. The station itself is mainly in the cantonments, and is built round a parade ground beautifully kept and fringed with fine trees. The fort stands at the western extremity of the cantonments. It is approached by an old gateway, and was described by an old French traveller as being like a part of Windsor Castle. It must have been most interesting until the P. W. D. removed the stones of it to build False Point Light House. It is inconceivable how this was allowed,—a more complete act of vandalism can hardly be conceived. It is not as though stone was not to be had in the district. It is in abundance at the Chawdwar quarries and elsewhere, but *the* Department must needs destroy a monument of ancient history to build a light-house which they could very well have been built without this act of vandalism. No one would dream of comparing the relative utility of a light-house with that of an ancient fort, but when it is a case, to parody the great Irish lyric :—

“They might have let the poor fort live and just as useful been.”

One feels tempted to have some words to apply to the removers of that stone work. If only in these days of Public Works æstheticism they would whitewash the fort gate, Cuttack will be a *κτῆμα εἰς αἰῶνος* to the P. W. D. Cuttack is pretty enough close by the station, but to see really lovely scenery, a journey up the Mahanuddy is required. Within an easy ride of the station, and by a charming river trip *coming down* but not *going up*, is Naraj; this is a gorge formed by hills on either side of the Mahanuddy, on the south side is Naraj itself. Here are some stone quarries and a most romantic bungalow built in the rock overhanging the river. It boasts its lover's leap, where two distracted lovers took a farewell leap into eternity. That must have been before the days when instead of leaping off the rock, they could have gone over to the Collector's house and got married in a more prosaic manner, and then lived, quarrelled and made up their quarrels like the people do now. The further up the river you go the more beautiful does the scenery become, until you reach the Tributary estate at Burmal, where the great river narrows into a gorge of surprising beauty. At Banki and Bordeshur, in the Banki Khas-mehal or Government estate, the scenery more resembles that on one of the Irish lakes than any thing I have seen in this country. I speak, of course, of the rains when the river is full. I have seen some sunsets in the rains of '88 on that river that made me regret that painting never formed one of my accomplishments.



What a pity, from an artistic point of view, it is that the black cloud on the famine map of '75-'76 never descended so far as Orissa. I am writing this paper in scenery which is almost equally beautiful. I am going up the High Level Canal in a boat. It may seem an anachronism to couple the name High Level Canal with beauty of scenery. One associates it with the dull flat scenery of one of our English canals, but it is wrong to do so. This canal goes at the foot of all the Durpan and Mahadubpore hills, and it would seem as though the P. W. D. was for once led out of its nature to drive a canal where the water sets off to some extent the natural beauty of the country. Wooded hills come almost down to the banks of the canal, and the water just gives the frame work which is only wanting to set off the beauty of these small but exquisitely picturesque hills. Mahadubpore, the seat of an old independent territory, is in itself a model of picturesque scenery. The Rajbari, and a very beautiful temple are built at the foot of a densely wooded hill, and the road from one's tent to the *khillah* is more like a road through an English park than one in any part of the provinces governed by the Lieutenant-Governor of Bengal. You can wander about there through scenery vividly bringing back parts of "the most distressful country" to your mind. Until an Excise Inspector (though he too smacks of the gauge) or a Head Clerk brings your mind down to the Board of Revenue and things useful though prosaic. One of the most delightful parts of Cuttack, though devoid of any land scenery, is the sea face. I am one of those who can see beauty whenever a sea wave rolls in, and a walk along the beach at Hookey Tollah is certainly a new life after an existence in, say, Jessore. On the calmest evening, you get the full force of the sea thundering on a beach as hard as any sands could be, but when "the wind bloweth in from the sea," or when there has been a bit of dirty weather in the Bay, the rollers are something grand. Bathing is a failure there. In the first place if you go far enough out for a swim, you are liable to have to try conclusions with a shark. This is in itself enough to take away from the enjoyment of a bathe. Then if you stand under the breakers and let them pour over you, your hair and eyes and nose get filled with sand and shells. Even the sea cannot behave itself in Bengal like it does in other countries. There is one form of amusement which the beach in Cuttack gives, dear to the hearts of children, and even of grown up persons, and that is the pursuit of the "*Lal kenkra*" or red crab. We are all familiar with the cartoon of the Irishman standing in raptures before a case of gold fish and saying—"Begora, I niver seen red herrins

alive before." He would be inclined to say the same regarding boiled lobsters could he spend an hour on the beach below the Refuge House at Hookey Tollah. The beach swarms with these little red crabs, and when you think you have caught one, he disappears under the sand in a hole as quick as lightening. No one can catch them like a native boatman: he does so the more eagerly for visions of a curry rise before him. He chiefly circumvents the *Lal kenkra* with his foot. A dribble under Association football rules is tame compared with the way in which one of the Port Officer's boatman knocks away a red crab just as he (the crab not the boatman) thinks he has reached a haven of safety. I remember coming home one evening in a boat wherein were the spoils of an evening's hunt. They got loose in the boat to the alarm of those who were with us. The *Lal kenkra* "hath a nipping and an eager air." The pleasures of the beach are as nothing compared to the boating, I mean sailing, to be found at Hookey Tollah—apart from going out to the ships which is only one journey, you can inspect nearly all the Kujung estate, or at any rate one very large portion of it, including the Court of Wards Office, by means of a sail from Hookey Tollah. You have just to cross what from a *lucus a non lucendo* principle, is called the harbour. That is, the place where ships cannot lie. They all have to keep outside. There is one ship lying there, but she was blown in during a cyclone. The cargo and wreck were bought by some speculators. The cargo, fortunately for them, repaid the venture, for, the down-trodden Oorya has saved the purchasers any trouble in the way of removing anything valuable belonging to the wreck. Having got across the harbour, which, if it happens to be blowing hard, is trying for an elderly gentlemen whose experience of the sea is confined to a bathing machine—(it took the Port Officer and myself once from morn to dewy eve to do so) you get into a creek called the Kanassa Creek. Going up this reminds one, barring the mountain scenery, of the descriptions in "Westward Ho!" of some of the Mexican river creeks. Rank vegetation and dense jungle come close down to the water's edge. It is the home of wild beasts which there is no opportunity of getting out. This jungle could no doubt be reclaimed, and, judging from the vegetation, be made to produce anything; but, storm-waves and the like make people slow to cultivate and settle down in the place. It is not a place where one would take a farm and retire to.

Leaving the Kanassa Creek you come into the mouth of the Mahanuddy; and all up that river until you reach Tikri, the headquarters of the Kujung Estate, a wonderful expanse of cultivation spreads before you. Land is being yearly brought into

cultivation, and the Taldunda Irrigation Canal will bring a vast tract of country under the plough. This canal is almost purely used for the purposes of irrigation. On the journey to Tikri one comes across a place called Bhatmundi. This is one of those places alluded to in my Cameo of Balasore where there is an extensive storage of rice for export from False Point. It has, up to date, been without a policeman, to say nothing of a Town Hall or Municipality. They want the outpost moved in there as a terror to the bleeder of bags, not to the ordinary thief or dacoit. The people there do an immense trade. One pucca golah there was built to hold 30,000 bags of rice, and the fleet of boats that lay off the bazaar when I was there, shewed more than all the statistic that could be compiled, what the trade of the place was. The only public institution it boasts is an outstall for the benefit of the maritime population. A sailor must have his grog whether the northern seas or the more placid Mahanuddy forms the theatre of his enterprise. The people of Bhatmundi do not hunger after civil rights, their time is occupied by making money of which I have no doubt they make their share.

Cuttack last year started a war-cry. I don't mean a Salvation Army newspaper, but a shibboleth. Why it did so I never could find out ; possibly it was in view of the Lieutenant-Governor's approaching visit, but that theory will not hold water, for the poor man was pestered with the cry "Orissa wants a Railway" from the day he opened the Chandbally Hospital till the day he left the Province. The only two public occasions on which he was spared a repetition of the want, were, I believe at Church, when the pastor kindly refrained from bringing it into his sermon, and at the Volunteer inspection, when it could not by any possibility have found even an indirect place in the words of command. The war-cry to which I allude was "Orissa for the Oorrias." Now, this being interpreted meant, that all appointments in Orissa were to be given to Oorrias. This was taken up and advocated by men in other respects not qualified for admission into a lunatic asylum. If ever there was a province sunk in provincialism it is Orissa, and the salvation of the place is the influx of foreign traders, both Europeans and Trans-Oorya, and the vast outlet that the rest of India, especially Bengal, gives to Oorya artizans, labourers, and above all, domestic servants, especially bearers. On the principle of "no man is a hero to his valet." One pergunnah alone in the Cuttack District, can look down on most of the Secretariat, both Military, Civil and Engineering. Simla and Darjeeling are much more familiar places, to many a bearer hailing from "Aul" in Cuttack, than they are to the rank and file of the toil worn Collectors who never get a

sniff of mountain air until they go home. Yet people, whom I have described as otherwise sane, calmly propounded this theory, that all Orissa appointments should be reserved for Ooryas. The converse of the question did not strike them, viz., that Ooryas should be confined to Orissa. The Oorya has not as yet made his way in intellectual employment abroad. It is even necessary to supplement him by foreigners in his own province, but that otherwise reasonable men should have desired to perpetuate this state of things, by still further provincializing Orissa, passes my comprehension, as it did that of others equally interested in the development of the province. It is a pretty and patriotic sentiment, but, like all sentiments when reduced to practical work, it is not so pretty.

Going up the Karunassa Creek you pass a spot with a more or less melancholy history attached to it. It is a large open space of ground called Karunassa, and it was here, in the great famine of 1866, that the rice when brought into Orissa too late, was stored. Those who remember that famine, remember that the difficulties began when it was there, for there were no means of quickly distributing it throughout the Province. What a difference there is now!! Waterways are all over the place. From Chandbally alone the canals could feed the two districts of Cuttack and Balasore, and from the sea face at False Point, food could be sent in an emergency up the Taldunda Canals into the parts of Cuttack not accessible by canal from Chandbally. "Orissa wants a Railway" was the cry iterated *ad nauseam* to Sir Stuart Bayley on his visit in 1888. Orissa does not realize how much has been done for her, short of a Railway, since the year when men died of starvation by hundreds daily, and the famine was sore in the land. The memories of the famine of 1866 have naturally had a very tenacious hold on the minds of men in Orissa. The famine brought a number of men to grief, and there is no doubt it was generally underrated and unprovided for. One of the results of it has been, that on every slight failure of the crops, it is the fashion for certain people, some well meaning, easily gulled, and others, purely interested, to raise the cry of famine. There is no cry so easy to raise, and there is no panic so difficult to allay as that caused by such a cry. For the last two years there has been more or less a failure or a shortness of the crops in Cuttack. During both these years a persistent effort has been made by the persons I have described to what is called "start a famine." Their efforts have been unsuccessful. No one has died of famine. This year, despite a cyclone and storm with heavy rain, has brought in more than an average crop. The famine-monger, like the atrocity-monger, was all there, though when the cyclone

occured, and just before rejoining the district, I read in a Calcutta newspaper that an almost universal destruction of the crops had taken place. This when discounted came to mean, that whereas there had been the prospects of a crop such as had not been known in living memory, the cyclone and rain had occasioned a loss which reduced the crop to the level of a very good average one. This is what District Officers have to contend with, and the sooner that the public know that officials have just as much, or more interest than other people have in foreseeing and taking measures for the prevention of any possible general calamity like famine, the better. People think that because men do not go about tearing their hair and losing the head upon which it grows, that they are indifferent or careless to the signs of the times, but that such is not the case let me assure those who, from credulity believe every tale of famine which they hear. With those who try to get up famine from interested motives, Nemesis in the shape of the common or vulgar "sell" sufficiently deals, and their comments on the apathy of District Officers, like curses, come home to roost on the top of the grain bags they had stored in anticipation of a famine scare.

There is no part of India whence migration takes place on such a large scale as it does from Orissa, and no where are the benefits of it so strongly marked. At the end of each agricultural season, the steamers are crowded with men who go to Calcutta and elsewhere to earn large wages. They stay away until field work demands their labour again, and as soon as field work can be looked after by the old men, women and children, back they go again to Calcutta. The money they make abroad is spent or invested in land at home, and yet we are told that the Oorya peasant cannot look after himself or his interests. A Collector in Cuttack has singular opportunities of knowing the people of his district, for chance has placed such a portion of the district under his direct charge, that is not so in most districts of which I have had experience. Burdwan owns the vast estate of Kujong now under the Court of Wards. Kamika, the property of a lunatic, is also under that Court. Mahadhebpore for the second time passed under the Court by the accidental death of its proprietor last year, and is managed by the Collector, and last, though not least, there is the whole of the Khillah Banki (which, by the way, should, for geographical and administrative reasons, be under the Collector of Puri) is managed directly by the Collector of Cuttack. All these managements give one a direct personal knowledge of the people and their pretty ways, that no amount of purely administrative experience could give. The great redeeming feature in the Oorya character is his

intense love of country. Wherever he may be his heart yearns for his home. He may be swelling in all the pomp of scarlet and gold at Simla, or be carrying on a flirtation with an attractive Ayah at the Chowrasta in Darjeeling, but his great object is to get home, to what, to him, is a holy land. To accomplish this end he will beg, borrow, or steal, nay even, he will work. Directly the Oorya lands on Orissa soil at Chandbally, he bows himself to the earth as a greeting to the sacred soil. For one touching instance of this I can vouch: A man was returning with just life in him and no more, and he was advised not to make the exertion of landing in his weak condition. He would not be persuaded. He struggled to his feet, and with the aid of his friends got across the gangway, and then fell dead on the soil he loved so well. With this intense love of country, the Oorya is to a greater extent, than most other races in India, most extremely superstitious. This is not unnatural in the country of Jaggernath, but it is carried to an extent for which even the presence of the great shrine could not account. At Jajpur, and indeed throughout all the district, black magic is firmly believed in. There, a race of beings dwell, who emphasize their assumption of devilish power by eating human flesh. People there, from whom one would expect more intelligence, such as pleaders and mukhtears, firmly believe in the power of these wretches. They tried not very long ago to proselytize the nephew of a man who was a little more strong-minded than his neighbours, and took the boy to the graveyard to initiate him into their rites. The uncle followed and tried to get his nephew back, whereupon the High Priest of the craft took a skull and rubbed it all over the man's body. This, to an orthodox Hindu, was not pleasant, but he was not to be beaten. He brought a case against the holy man, but before it came to trial he withdrew it, the reason being that the local bar induced him to withdraw the case sooner than have anything to do with these flesh-eating magicians. Whenever an Oorya passes a road that leads in any way to Juggernath, he at once salutes it by falling on his face to the ground, and, strange to say, Ooryas pay the same outward respect to Mussulman relics and sacred things as to their own. They do not, however, extend their catholicity to Christian Churches and sacred places.

The educated Oorya gentleman is, as a rule, a common-sense clear-headed man. He does not bother himself about Congresses or agitation. He minds his own business, and in his social relations is polite and unobtrusive. I have made many friends amongst the people of Orissa, and I have always found a desire to work for the common good amongst them. There is a perfectly good understanding between the educated

Ooryas and the officials, and this without any *upke waste-ism* on the part of the former. The District Board is as good an instance as I can give, and the work there is carried on smoothly and without friction, yet every important question is fully and freely discussed. The absence of anything like agrarian crime shews that a good understanding prevails between landlord and tenant.

The canals form, of course, a distinctive feature of the Cuttack district. There are four great arteries of this description. The High Level canal which connects Cuttack with the Balasore district. This canal, as I have said, goes through the Durpan and Mahadebpore hills. It reaches the Brahmini river at Jenapore, and is again taken up, after the crossing of that river at Jokadia, whence it takes its course to Bhudruck in the Balasore district. It throws off a branch at Aquapada which connects the head-quarters of the Jajpur Sub-division with the waterways of Orissa. The canal is a monument of engineering skill. The anicut at Aquapada being in itself worth the journey spent in going to it. Then, there is what is called the Kendraparah canal, because most likely it does not go to Kendraparah but connects Cuttack with the sea at Jumbo, the land side of the Hookey Tollah harbour. The Alba extension of this canal which does pass Kendraparah connects Cuttack with Calcutta both by the Chandbally and Alba steamers and by the Balasore Sea Coast canal. Then there are the Taldanda and Patamandi canals—both irrigation works. It would be tedious and out of place in a cameo intended to give the general reader an idea of the district, to enter into the controversy about the payment of canal revenue. Readers who want that sort of information study blue books and not cameos of districts, and I have far too much to do with the question in my hours of work to take it up in leisure hours. It is a question for discussion whether the money sunk in canals might not have been more profitably spent on a district railway connecting the province with the outer world, but the canals have been made and the railway is yet in the far future. There can be no question whatever but that they have done wonders for the district in the matter of rendering barren land fertile, and that the canals have made all parts of the district accessible by water and have thereby opened up the country. One can hardly picture what Cuttack must have been when it depended for communication with the outside world, either on the palki journey to Calcutta through the Balasore and Midnapore districts, or had to chance an occasional steamer calling at False Point. It will scarcely be believed that the canals, as far as irrigation is concerned, are looked upon, or, are professed to be looked on, as a source of oppression to the people,

and those that are cultivating land which but for the construction of the canals would have been jungle, are taught to demand that water should be supplied at a nominal cost, if not, that the cultivator should be paid for honouring the canals by using the water. There are abuses no doubt in the present system, but their remedy is under the consideration of Government, and some means no doubt will be devised to minimize the evil. It is an evil that lies at the root of all administration in this country and can be summed up in the question: How are we to protect natives against their own countrymen when clothed with a little brief authority?

This is amply illustrated by the difficulties in which the district authorities find themselves regarding what ought to be one of the great industries of Cuttack—its fishing. Some years ago when troops were on the move constantly throughout the Province, and means of locomotion were scarce, Government gave, if not in perpetuity, at any rate for a very long time, the right of fishing in the large rivers to a class of men called Kyotes. These men were in their turn to supply boats whenever needed. The necessity for the supply of boats has passed away with the wars that were then waged in Orissa, but the Kyotes remain, and unfortunately their fishing rights remain also. These men disdain fishing themselves, but, for what reason, it is difficulty to say; they will allow no one else to fish either, and a valuable food supply is thus lost to the District. It is to be hoped that some remedy will be found for this state of things in the approaching settlement of the Province. I have now tried to tell people as much about the two districts as I know. As I said at the outset I do not profess to enter into statistics or to do any more than show the district as they appeared to me. Being sent to Orissa is looked upon as little short of banishment by some, but people in Cuttack contrive to make the exile a very bearable one.

A. C. TUTE.

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## ART. V.—THE INDIAN MUSEUM AND INDIAN ARCHÆOLOGY.

**T**HE study of archæology serves a threefold purpose : firstly, it appeals to the natural curiosity possessed by all men ; secondly, it furnishes an incentive to the learned to enquire into the origin and history of all old things ; thirdly, it discovers to us the state and progress of archaic art. Thus, all antiquities, being relics of bygone times, are interesting from three standpoints, *viz.*, those of the curious, the savant, and the artist. The human mind is so very curiously constituted that it cannot but feel an impulse of the faculty known as curiosity at the sight of things which do not pertain to times in which mankind at present live, and with which are associated "memories of the past." To the average curious man these old things or antiquities only serve to conjure up memories of times long gone by, without exciting in his mind any sort of inclination whatever to inquire into their origin and history, to speculate into the state of man in those times to which they pertain. To the savants or the learned, however, these objects of archaic origin only appear as being replete with associations of man in past times, and serve to stimulate them to prosecute researches into the origin and history of these objects, to speculate into the social state of the human species in those old, old times. To the artist or the student of ancient art, the study of antiquities discovers the state and progress of architecture, and the plastic arts in general, amongst the men of those olden times. The study of Indian archæology dates from the foundation by Sir William Jones of the Asiatic Society of Bengal in 1784. Previous to the foundation of this famous Society which is, however, the parent of all existing Oriental Societies throughout the world, nobody cared anything at all about the numerous remains of antiquity which are to be met with all over the continent of India. Many learned men there were, no doubt, in the service of the late Honorable East India Company, but they were too much engrossed with their own factory concerns and commercial pursuits, to direct any attention whatever to the study of oriental antiquities. The study of Indian archæology received another but a stronger impetus from the earnestness with which Sanscrit and other oriental languages began to be studied by the European officers in the service of the late John Company. The Europeans of the last century were not at all to be blamed for

this utter apathy on their part in betaking themselves to the study of those languages. There were many obstacles in the way of their betaking to the study of them. The pundits of those days durst not teach Sanscrit to the Europeans because they thought it highly impious to do so. The study of the Vedas even were prohibited to all but the Brahmins, let alone Europeans. So it was with great difficulty that Sir William Jones found a pundit who consented to teach him Sanscrit. These languages had so long been as Hebrew to Europeans, and the literature of these languages were as books sealed with the seven seals of secrecy to them. But the foundation of the Asiatic Society of Bengal also gave impetus to the study of Sanscrit and other oriental languages. The little band of scholars headed by Sir William Jones, Charles Wilkins and Henry Thomas Colebrooke laid the foundation of that study of, and researches into, Indian archæology which has been productive of very valuable results to the study and elucidation of the history of Ancient India. Previous to the invasion of India by the Mahomedans, there is scarcely any history of India worth the naming. Indeed, there are one or two works which may rank with modern histories, in point of their faithful delineation of past times, narration of past events, and accurate enumeration of successive dynasties of rulers in their chronological sequence. But the accounts contained in these "abstracts and brief chronicles of the times" are to be received with a great deal of caution. The works alluded to above are *Raj Tarangini* of Kashmir and *Mahāvansa* of Ceylon. But even the existence of these two books came to the notice of orientalists a long time after the foundation of the Asiatic Society of Bengal. The history of India, previous to the Mahomedan period, consists of a number of traditions, legends and myths which are scarcely to be accepted and believed as historical facts. The art of writing history, in the modern sense of the term, was unknown to the ancient Indians. History and fiction appeared to them to be synonymous with each other. Hence the enormous quantity of fables and myths found jumbled together with historical facts in works professedly dealing with the narration of historical matters. There are the *Shastras*, the *Purans* and the great epics—the *Māhabhārat* and the *Rāmāyana*—all professedly dealing with historical facts, but the few scraps of history that they contain are overlaid by such an amount of fiction, that it is very difficult, at this distance of time, to separate the strictly historical matter from the fictitious. Historical personages have been described in such exaggerated language, that the modern cultured reader cannot but disbelieve in their existence, while, on the other hand, facts which had no existence in the history of Ancient India, have been described and invested

with such a semblance of truth, as to warrant us in believing them to be "truth severe by fairy fiction drest." Dynasties of fabulous kings have been described and their pedigree has been traced to the gods, to the sun and the moon, while the periods during which they have been described as having reigned are of such incalculably long duration, that Hindu chronology, like Hindu history, becomes positively incredible. The length of the ages into which time has been divided by Hindu chronologers casts into the shade the duration of such geological periods as the Miocene, Pliocene, Eocene ages, &c., calculated by modern geologists, and the length of such astronomical distances as those of the nebulæ. But it is to be borne in mind that the history of Ancient India has already been written. But the curious reader may very pertinently ask: "What are the materials out of which this history has been constructed?" The reply to this question is, that the study of, and researches into, Indian archæology have afforded ample materials for the drawing up of an actual history of Ancient India. The researches of learned antiquarians like Jones, Colebrooke, Prinsep, Thomas, Cunningham, Vincent Smith, Mitra, and a host of others have laid the foundations of a true history of Ancient India. There are numerous lithic remains of antiquity scattered all over the country, from the study of which many interesting historical facts have been gleaned. There are numerous inscriptions carved on rocks and on buildings, the deciphering of which has led to the discovery of the names of many dynasties of kings who would otherwise have remained unknown to us moderns. Hoards of coins have been discovered all over the country, the deciphering of the legends on which has thrown considerable light on the state of things in Ancient India. It is by a study of Indian antiquities that the fact of the influence of Hellenic culture on the religion, poetry, science, philosophy and the arts of the ancient Indians has been discovered. Greek ideas, working on Indian soil, exercised a marked influence on, and modified the arts of the ancient Indians, and this fact is no where more patent than in the lithic evidence of antique sculptures that have from time to time been unearthed all over India. It is by a study of the Arabic and the Persian inscriptions found all over Northern India, and especially in Bengal, that Professor Blochmann was able to construct a trustworthy history of the latter province under the Mahomedan *regime*. Thus it will be seen that the construction of a history of Ancient India has been rendered possible by the existence of the sculptured evidence of ancient monuments and inscriptions, and by the numismatic testimony of ancient coins found in coin-troves unearthed in various parts of India. The late

lamented H. J. Colebrooke very truly observed: "In the scarcity of authentic materials for the ancient, and even for the modern history of the Hindu race, importance is justly attached to all genuine monuments, and especially inscriptions on stone and metal, which are occasionally discovered through various accidents. If these be carefully preserved and diligently examined, and the facts ascertained from them be judiciously employed towards elucidating the scattered information which can yet be collected from remains of Indian literature, a satisfactory progress may be finally made in investigating the history of the Hindus." The discoveries of Assyrian sculptures in the mounds of Ninevah and Babylon by M. Botta and Mr. Layard have laid the foundation of the science of Assyriology or the science of Assyrian antiquities. The researches of Dr. Oppert, Sayce, Birch and others have led to the discovery of the key to the cuneiform, or the arrow-shaped inscriptions found carved on Assyrian sculptures and on the wondrous remains of Persepolis. From the successful deciphering of these inscriptions many important facts regarding the past history of Assyria—one of the greatest monarchies of the ancient world—have been elicited. Thus the construction of a history of Assyria, in the absence of written chronicles, has been rendered possible by the study of Assyrian antiquities. Collections of bricks, cylinders, tablets, coins, inscriptions, sculptures and other Assyrian antiquities have been formed in the great museums of Paris and London, *viz.*, the Louvre and the British Museum. These collections afford ample materials for study to the students of Assyriology. The discovery of the Rosetta Stone at the place of that name in Upper Egypt by a French archæologist, and the deciphering of the bilingual inscription carved thereon by Dr. Young, furnished a key to the hieroglyphic characters of the ancient Egyptians. These hieroglyphics, or sacred writings had for a long time puzzled the European archæologists, and had baffled all their attempts at deciphering them. When the key to these mysterious picture-writings, which were found inscribed on the ancient monuments of Egypt was discovered in the Rosetta Stone, and by means of which these sacred picture-writings were deciphered, a flood of light was thrown on the ancient history of Egypt. This at once led to the foundation of a distinct branch of archæological study, namely, Egyptology, or the science of Egyptian antiquities. Thus the construction of a history of ancient Egypt has been rendered possible by the study of Egyptian antiquities. Collections of papyri, coins, inscriptions, sculptures and other Egyptian antiquities exist in the Louvre at Paris, in the British Museum at London, and in the Royal Museum at Berlin. From the study of the antiquities

in these national collections, English and continental savants have been able to contribute much towards the elucidation of many dark problems in the history of ancient Egypt. The Museum at Boulaq, near Cairo, is particularly rich in these Egyptian "memories of the past" and is the great centre of Egyptological researches. A French archæological school has been founded there, on the model of the French archæological school at Athens, for furthering the cause of Egyptological researches. Under the leadership of such accomplished French Egyptologists as M. M. Maspero and Bouriant, the French have already done much in throwing light on the past history of the ancient Egyptians, which was formerly completely enveloped in the mists and haze of antiquity. Both Assyriological and Egyptological researches have thrown considerable light on the solution of many dark problems in scriptural history. Many of the events narrated in the Bible have been, strangely enough, confirmed by the evidence derived from the decipherment of the cuneiform and hieroglyphic inscriptions; and thus the foundation of a distinct branch of archæological study, namely, Biblical archæology has been laid. Besides the elucidation of historical questions, the study of archæology is interesting to the student of archaic art. The study of antique sculptures has thrown a flood of light on the state and progress of art in ancient times. It is by a study of these sculptures that it has come to be discovered that the ancient Egyptians, the Assyrians, the Hindus, the Greeks and the Romans had made considerable progress in, and had carried to great perfection, the art of carving. The delicacy of finish and the elaboration of details in many of the antique sculptures shew to what a pitch of perfection the ancients had carried the art of sculpture. It is by a study of archæology that it has been discovered that the great nations of antiquity had attained to a considerable knowledge of the builder's art or architecture. The Parthenon at Athens, the Pantheon at Rome, the Pyramids of Egypt, the great palaces of Ninevah, the cave-temples and other religious structures of India, excite the admiration and the wonder of the whole world; while the temples of Luxor and Thebes, and the stupas or topes of India abundantly prove the perfect knowledge of the principles of architecture to which the ancient Egyptians and the ancient Indians had attained. It is by a study of archæology that it has come to be discovered that the ancient Egyptians and the ancient Indians had considerable skill in engineering science. Modern engineers cannot explain how the huge monoliths of Egypt, and the stupendous stones of which the temple of Juggernaut is constructed, could have been transported from the places where they were quarried to the places of building, by these

ancient nations with their deficient engineering appliances. The ancient Indians were also adepts in painting, specimens of which still exist in the cave-temples of Western India and of Ajanta, and also at Bagh in Malwa. But the delineations of human form in these paintings display the utter ignorance of the ancient Indians of the elementary principles of anatomy of the human frame. From the above it will be abundantly evident that the study of archæology is fraught with interest in more ways than one. It will also be abundantly evident that national archæological collections are of great importance for the purpose of the study of the history and the art of ancient times as depicted on ancient monuments. Thus it will be seen that as a preliminary condition of the successful study of Indian archæology, a collection of objects, illustrative of archæology in all its branches, is necessary. The nucleus of such a study-collection already exists in Calcutta in the Archæological Department of the Indian Museum. Now, the object of this essay is to show what deficiencies exist in these collections, and what objects should be acquired and exhibited in order to render the Archæological Department of this Museum a completely representative study-collection worthy of the metropolis of British India. The Archæological Department of the Indian Museum, Calcutta, includes specimens illustrative only of the following branches of Indian archæology, namely, general archæology, pre-historic archæology and epigraphy, while the other and most important branch of archæology, namely, numismatics is totally unrepresented. This utter absence of numismatic objects from the exhibition galleries of the Archæological Department of the Museum detracts from the merits of the Indian Museum of Calcutta as the finest and the richest museum in the whole of Asia. It enjoys an European reputation. But it is a pity that the trustees of our National Museum should have overlooked such an important point as the addition and exhibition of a thoroughly representative numismatic collection from all parts of India. This institution was established in 1866, under Act XVII of that year, for the purpose of being devoted, to quote the words of the Act, "to collections illustrative of Indian archæology and of the several branches of natural history, and in part to the preservation and exhibition of other objects of interest, whether historical or physical, &c." From the above-quoted extract, it will be perceived that the Government of India intended the Archæological Department of the Museum to be thoroughly illustrative of all the branches of Indian archæology, including numismatics. How far all these branches have been illustrated in the Museum can be best inferred from the entire neglect of the claim which numismatics, which is by far the most

important branch of Indian archæology, has for illustration in it. That numismatics is an important branch of archæology goes without saying. But this important branch is not at all represented. Indeed, the visitor to the museum, in walking through the four great galleries, to wit, the Asoka, the Indo-Scythian, the Gupta and the Mahomedan and inscription galleries into which the archæological collections in the museum have been divided, will be agreeably surprised to find the gateway of the famous *stupa* of Bharat, discovered by General Cunningham, and which is inscribed with scenes illustrative of the Buddhist *Jatakas* or birth stories, the friezes of the rock-cut temples of Orissa discovered by Dr. Mitra in his *magnum opus* the "Antiquities of Orissa," the capitals of the pillars from Mathura, the antique statues from Patna or Palibothra of the ancients, the Yusufzai sculptures from the Punjab, the Buddha Gaya sculptures described by Dr. R. Mitra in his truly magnificent work on "Buddha Gaya or the 'Hermitage of Sakya Muni,'" architectural remains from Gaur, the ancient capital of Bengal under the Pál and the Sen kings, and numerous other sculptures of great beauty and interest. But the visitor is doomed to disappointment if he expects to find coins exhibited here. Coins are closely related to books. The only difference being that the former are made of metal, while the latter are written upon paper. But, nevertheless, coins are as interesting as written histories. The inscriptions on the coins are as valuable for fixing the dates of events, for throwing light on the little-known periods in the history of a country, as are the chronicles handed down to posterity by historians. In fact, they are far more authentic than written chronicles, because the records inscribed on them remain unaltered by the lapse of ages, while written histories may be altered by their writers to suit their own class-prejudice or party-bias. In short, coins may be designated as fragments of history written on metal. It is by a study of these that the names of princes unknown to history have been brought to light. It is from the finds of Roman coins in Southern India that historians have come to the conclusion, that there must have existed commercial intercourse between Ancient India and Ancient Rome in the days of yore. The study of coins also discovers to us the state of the art of coinage among the ancient Indians. The coins of early Indian mintages display very slight pretensions to artistic merit, being mere blanks of metal inscribed with legends in rude and cramped characters, and often bearing a rude caricature of the human face divine and other symbols. From this it would appear that the ancient Indian die-cutters never attained to any great degree of perfection in the art of coining. They always failed to produce a true likeness of the

human form. From these facts it will be evident what importance is to be attached to these interesting relics of by-gone days. The researches of eminent numismatists like Wilson, Prinsep, Mackenzie, Cunningham, Vincent Smith, Mitra, &c., are too well-known to be repeated here. It is true the Asiatic Society of Bengal possesses one of the finest cabinets of coins in existence, but it is to be remembered that it is not accessible to the public at large. Even some of the provincial museums of India possess good collections of coins which are exhibited to the public. The Government Central Museum at Madras possesses a fairly representative collection of coins from all parts of India. This collection is especially rich in gold coins of the Roman Cæsars, silver coins of the Mamelukes of Egypt, and the coins of the Bactrian kings. Large additions are being constantly made to the collection. Last year this collection received large additions "including a gold coin of Taju-d-din Yildiz; coins of the Greek and Scythic kings of Bactria and India, Lysias, Rajnabala, Spalirises and Azes, Abdagases, Oithagnes, Zconises, Kadphises I, and Kadaphes; several new types of Mysore coins, and a collection of copper coins found at Kilakarai on the Madura coast." Even the small provincial museum at Lucknow has a good collection of coins, "which received a large number of additions last year, 712, 24 gold, including Gupta and Deva coins; 148 silver, including pieces of the earliest Hindu period and of the Indo-Bactrian and Indo-Sassanian period and the rest of Mahomedan mintages; and 879 copper coins comprising 257 Buddhist and 41 of the Mitra dynasty, 378 of the Indo-Bactrian kings, and the rest miscellaneous coins. From the foregoing facts it would appear that the interests of numismatics, that important branch of Indian archæology, are not neglected even in the provincial museums while it is to be regretted that our National Museum, endowed as it is with the richest collection of specimens available in India, is without any coin-collection among its archæological treasures. The Treasure Trove Act (being Act VI of 1878) was no doubt passed for the purpose of providing for the examination of coins found in coin-troves discovered all over India by the Asiatic Society of Bengal and for their ultimate distribution to the principal museums of India. No doubt under the provisions of the above-mentioned Act many coins have been presented to the Indian Museum. The Archæological Survey of India has, from time to time, presented coins to the museum. "506 specimens of coins belonging to 20 different classes, comprising among them several coins of great interest" were presented to it by the Survey last year. From these it would appear that the nucleus of a numismatic collection



already exists in the Indian Museum at Calcutta, but it is more than we can tell, why this collection is not exhibited to the public at large. It is high time that a coin-room similar to the one existing in the British Museum at London should be opened in this museum for the purpose of exhibiting the coin-collections possessed by it. Several valuable collections of coins have been in the market lately, as for instance, the Gibbs collection, which was allowed to leave this country because no purchaser could be found for it. The trustees of the Indian Museum could very well have removed the reproach from the metropolis by buying it for the museum under their charge. It behoves the Government of India as well as the trustees of the Indian Museum to secure a good collection for our National Museum which will complete its Archæological Department, and at the same time add to its attraction and interest.

The next branch of archæology which the visitor will find represented in its galleries is Pre-historic Archæology. The visitor who takes any interest in such things will find that, in the middle of the great Gupta Gallery, there are some cases filled with fragments of pottery, bones, flint weapons and other relics of the pre-historic ages. The fragments of pottery, bones and stone implements are from the cairns and cromlechs of Southern India and Beluchistan, while the flint celts, arrow-heads and other weapons are from some pre-historic caves in France. From the inspection of these it would appear that already a fairly representative collection of this branch of Indian archæology exists in the Indian Museum, which would afford ample materials for study to the student of pre-historic archæology. Recently, however, a collection of interesting Neolithic worked stones from Southern India has been presented to this Museum by Mr. R. B. Foote; and another interesting collection of the remains of the same age, which was unearthed by Mr. W. H. P. Driver of Ranchi, has also been presented to it. The study of this mass of pre-historic relics now in the Indian Museum has thrown a flood of light on the history of India during the pre-historic ages. The results of researches into this small collection of pre-historic materials have been embodied in a paper read last year before the Asiatic Society of Bengal by Mr. J. Wood-Mason the well-known Superintendent of the Indian Museum.

We next come to the third branch of Indian archæology, namely, Epigraphy or Inscriptions. This branch is also tolerably well represented in the Indian Museum at Calcutta. The visitor will be agreeably surprised to find a gallery in the Museum, specially devoted to the exhibition of inscriptions from all parts of India, among which he will find two slabs of stone inscribed with the famous edicts of Asoke, prohibiting

the slaughter of animals throughout his dominions. He will also find many slabs of marble inscribed with Persian and Arabic inscriptions and several inscriptions in the Kawi character of Singapore. This portion of the archæological collection cannot very-easily be increased, because most of the inscriptions, that have been and are still being discovered, are carved on rocks and on buildings and on stones not easily removable. Hence they cannot be removed at all, and have to be left *in situ*. Those that are carved on sculptures and on small slabs of stone or marble are easily removable, and hence the majority of inscriptions in this Museum are found carved on statues, bas-reliefs, medallions and pillars. Notwithstanding this difficulty, many inscriptions were added to the Lucknow Museum last year; and a very interesting inscription of the time of the Mahārājāh Toramāna Shāh, which was discovered by Mr. O'Dwyer in the Salt Range was sent to the Lahore Central Museum. All these inscriptions should have been sent to the imperial collection at Calcutta, and only plaster-casts of them should have been retained in those provincial museums. It is high time that both the Board of Trustees of the Indian Museum and the Government of India should issue orders for the transmission of all inscriptions discovered throughout India to the Indian Museum at Calcutta, so that the nucleus of the collection of epigraphic specimens possessed by it may be increased. These inscriptions have been of great use in elucidating many of the dark problems in Indian history. In the absence of written histories, these inscriptions have been the means whereby many breaks in the history of this country have been filled up. Lastly, it is by the decipherment of these inscriptions that many of the brilliant discoveries in the history of India and of the surrounding countries have been made. Some of the most brilliant discoveries in Indian philology also have been made by the study of these inscriptions. It was through the researches of that famous antiquarian Mr. James Prinsep, that the discoveries of the Arian and the Indian Pali alphabets were made. The Indian Pali alphabet in its several stages of development, namely, the Kutīla, the Gupta and the Asoka characters, is the parent of the modern Devanagiri alphabet. Indeed, upon these two discoveries is based all our knowledge of the art of archaic writing, the language, and the history of India.

Next we come to antiquities in general. The visitor's attention is especially directed to the series of Hindu sculptures from Java which prove, beyond the shadow of a doubt, that the Hindus had at one time visited even the inmost parts of Java. The ruins at Borobodor and other places in Java attest that the Brahminical religion of India was at one time

prevalent in that island also. The collection of general antiquities in the Indian Museum may be considerably increased if all the specimens which are unearthed in all parts of India are transferred to it. But some of these specimens are carried off from India for sale in Europe or for presentation to European museums. The rest are all sent to the provincial museums of India to be stored there in obscure nooks and corners. Thus they are practically lost to the student of Indian archæology. But some remedy for the former evil has been already devised. All students of Indian archæology will be glad to learn that the attention of the Government of India has at last been drawn to the shameful way in which objects of antiquarian interest have been taken away from this country. They should all be grateful to Colonel Keith, the Curator of Ancient Monuments in India, for having been instrumental in drawing the Government's attention to this scandalous practice. It is a well known fact that discoveries of treasure-troves, coins, Buddhist, Jain and other antique sculptures, copper-plate grants, inscriptions on stones, and pre-historic weapons are being frequently made all over India. The majority of these objects find their way into the hands of private collectors who either dispose of, or present them to European cabinets of antiquities, or if they happen to be coins and fall into the hands of natives, they are invariably sent to the melting pot to be made up into ornaments. But few of them, at times, find their resting place in some museum in India. The Archæological Survey of India was organized, I believe, for the purpose of preserving the ancient monuments of India, for the purpose of exploring the ruins of ancient towns, and for collecting all objects of antiquarian interest that might be discovered in the course of making excavations, and for depositing them in some museum in India. It would appear that the objects discovered by the Archæological Survey of India in the course of its operations are not always deposited in the Indian Museum at Calcutta, for to this effect is the complaint made by Dr. J. Anderson, late Superintendent of that Museum. In complaining that many of the important objects, including the copper-plate discovered by Mr. Carlleyle at Indore Khera, in the Goruckpore district, have not been deposited by him in the said Museum, Dr. Anderson says: "It would have been as well had Mr. Carlleyle stated in Vol. XII, where the copper-plate and other discoveries have been deposited, so that they might have become accessible to students of archæology, and this remark is applicable to a very large proportion of the objects described in the reports of the Archæological Survey. It would be an advantage to archæology were the Survey to publish a list of the objects

incidentally mentioned, described and figured in the fifteen volumes of reports, stating whether the specimens, sculptures, coins, &c., mentioned in the reports, and in some instances figured, were left *in situ*, or if removed where they were deposited" (Anderson's Handbook to the Archæological Collections in the Indian Museum. Vol. II, p. 123, foot note.) To this effect also are the observations made in 1887 by E. T. Atkinson, Esq., C. S. in his presidential address delivered before the Asiatic Society of Bengal: "It is understood that all coins, sculptures, and other antiquarian objects collected by the staff (of the Archæological Survey) shall be strictly considered as State property, and shall belong to the principal museum of the circle, but arrangements may be made for certain exceptions (including duplicates) in favour of the Indian Imperial Museum and also for exchanges and casts. I can only hope that these arrangements may have a liberal tendency in so far as they affect the Indian Museum at Calcutta." Again, in speaking of the antiquities discovered by Mr. Harris in excavating the ruins of Sultangunge in the Bhagulpore district, Dr. Anderson complains that a large copper-statue of Buddha discovered there, had been carried off from India and presented to the Aston Park Museum where it remained for several years, but was removed in 1886 to the Central Free Library, Birmingham, where it still remains. It is to be regretted that objects of antiquarian interest discovered in India should be rendered inaccessible to Indian students of archæology by being thus taken out of the country. The Government of India should promulgate orders calling upon the several provincial Governments and Administrations to direct the attention of the district officers under them, to the necessity of taking some sort of precaution whereby such objects, wherever discovered in India, may be secured for some museum in India and, in the case of rare specimens, for the Indian Museum at Calcutta. As all coins discovered in Northern India are, under the provisions of the Act VI of 1888 (Treasure Trove Act) forwarded to the Asiatic Society of Bengal for examination and distribution to the principal museums of India, so some such law should be enacted providing for the transmission of all sculptures and other antiquarian objects discovered in India to the above-mentioned Society for examination, and, should they prove of great historical interest, for deposit in the Indian Imperial Museum at Calcutta. It is, I believe, the practice in England to deposit all important zoological and other scientific collections acquired by the English nation in the new Natural History Museum at South Kensington, all important archæological collections in the British Museum in Great Bloomsbury Square, and all important art collections in the South Kensington

Museum. As the nucleus of an Imperial archæological collection has been formed in the Archæological Department of the Indian Museum at Calcutta, all important archæological objects discovered throughout India should be deposited in the said collection. In this connection it will not be out of place to draw the Government of India's attention to another fact. At present the Lahore Museum contains a very important collection of antiquities discovered by the late Dr. Bellew in the Punjab, while the important Buddhist and Jain sculptures lately unearthed at Mathura, have been deposited in the provincial museum at Lucknow. All these collections are of great value to the student of Indian archæology, and it is a pity that they should have been deposited in these insignificant provincial museums only to satisfy the curiosity of sight-seers, instead of being sent to the imperial collection at Calcutta where they might have formed an interesting subject of study to some student of archæology. It behoves the Government of India to remove all these original sculptures, if practicable, and plaster-cast models of all those, the originals of which cannot be easily removed, now stored away in the museums at Lahore, Lucknow, Madras, Bombay, Agra, Delhi and Nagpoie, and to the National Indian Museum at Calcutta, in order to complete its Archæological Department, and also to make them easily accessible for study purposes.

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## ART. VI.—THE FRONTIERS OF INDIA.

**T**HIS is a wide word. Attention of late years has been so exclusively concentrated on the North-West frontier that it is a relief to turn away from the part and take a comprehensive glance at the whole. India has a maritime and an inland frontier. The former extends from Gwadur *via* Karachi and Bombay to Point de Galle, thence northward to the Sunderbunds, and again turning south to Tenasserim. The latter may be said to start at Gwadui, and taking in the territories of Eastern Beluchistan and Pishin, to follow more or less the line of the Afghan frontier to the Khyber Pass. Although the territories of Chitral, Kashmere, and Leh are actually protected Native States, our line of frontier must now be considered to pass outside them. From Leh to Dibrugarh the Himalayas are the frontier of India. From Dibrugarh to Bhamo the frontier is undefined. Ultimately, no doubt, the country round the upper waters of the Irrawaddy and the Salween will be explored and annexed by us. It will then be possible to define our boundaries and those of China accurately. The Salween is our present Eastern frontier from Moulmein as far north as the Kunlon ferry on the Salween, subject, of course, to the decisions of the Anglo-Siamese Commission. From Kunlon to Bhamo the frontier between British territory and China has not been defined. Siam bounds Tenasserim on the east.

This is a rough definition of the frontiers of India. As each position is considered separately, it will be treated of more in detail, and the modifications to which it is, has been, or will be liable, pointed out. If we estimate the maritime and inland frontiers of India each at 5,000 miles, we shall not be far from the mark. When we say that we have 5,000 miles of maritime and 5,000 miles of inland frontier, we mean primarily that we have this extent to defend. There are other ways of looking at frontiers. Russia, for example, is bent on getting a maritime frontier on the Mediterranean, and may be, too, on the Persian Gulf. Russia is dissatisfied with her frontiers because she has no southern outlet. The whole aim of her policy is to get one. She does not look on a frontier as a thing to be defended, but as a thing to be gained. When gained, time enough then to think of defending it. We, on the other hand, have mostly acquired the frontiers we want, and our attention is mainly turned to their defence. Not that we do not aim at further annexation as opportunity offers, but such extension will

probably be a mere trifle compared with the original vast territory. We will point out later on when such extensions are feasible and likely.

Our maritime frontier further includes certain more or less isolated obligations, such as the whole Persian Gulf Littoral, and the navigable course of the Shat-al-Arab and Tigris up to Baghdad. We can allow no interference in those parts. If Baghdad or the Persian Gulf fell into the hands of a hostile power, India would find its most important line of communication with England cut. Whatever happens, Turkish Arabia and Southern Persia cannot be allowed to fall into the hands of Russia.\* Many are the projects on foot for establishing a line of rail connecting the Indian with the European railway system. Alexandria and Smyrna seem to be the termini on the European side most favoured. It is quite possible that Russia may absorb the whole of Asia Minor, though it is the duty of England, upholding Turkey, to prevent this by all means; but Syria and Mesopotamia and Southern Persia and all Mekran and Beluchistan must be British or else—*pereat* India. England and India must fight for this, if necessary, and if beaten in the fight, then adieu British sovereignty in Asia. Thus in addition to the long line of seaboard from Tenasserim to Gwadur, India, with such aid as England can spare it, has to maintain its supremacy (with or without allies) in the Persian Gulf and on the Tigris.

The Indian Press has rendered us more or less familiar with His Excellency the Commander-in-Chief's visits to Karachi, Bombay and Calcutta, and his inspections of these fortifications, and the Chiefs of Bombay and Madras, pay similar attentions to Aden (including the Somali coast, an addition of some hundreds of miles to the defensible seaboard) Madras and Rangoon. We must sincerely hope that the fortifications of these six all-important commercial towns and coaling stations are, indeed, in a satisfactory condition. But we must not forget that there are scores of ports, large and small, between these, that have few or no defences. Let us just mention the Kathiawar ports, Surat, Bassein, Ratnagiri, Calicut, Cannanore, Mangalore, Cochin, Colombo, Point de Galle, Trincomalee, Masulipatam, Vizagapatam, Chittagong, Akyab, Moulmein, Tavoy, and Tenasserim. Trincomalee is only a possible harbour, but if not fortified or held by our own fleets, it will probably become a basis of operations for a hostile fleet.

It is, of course, out of the question, considering the small British and Native force that garrisons India, and in the hour

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\* With regard to British obligations in Khorasan and Seistan and the Perso-Afghan frontier, the reader should consult Hon'ble G. Curzon's Letters from Persia to the *Times*.

of need must furnish both the army of frontier defence and the garrison, that much should be done for coast defence by the regular troops. For this we ought to look to the Volunteers and the Volunteer Reserve. How far the latter has succeeded, and what steps the Government has taken to promote it, is at present unknown. Captains Duff and Mason in the *Journal of the United Service Institution of India* had two very good essays on the subject, which was also advocated by a writer in the July number of the *Calcutta Review*. The policy of Government does not allow Natives to possess fire-arms, except in *States* under Native rule, or by special license. Consequently, the security of the many ports on the Indian sea-board must depend, in the main, on the local European and Eurasian population. These ports (excepting the six principal ports abovementioned) may or may not be more or less partially fortified; anyhow we may assume that, in most cases, both the fortifications and the guns, if there are any, are obsolete. In these days we must not look to the Home Government to provide guns. Why, the supply is not sufficient for the defence of the six principal Indian ports mentioned above, and of Colombo and Singapore, much less for the minor intermediate ports. And even if there were enough guns, there is not enough money. The Indian Government spends every pice of its revenue, and has to tax its officials and officers, because it dare not increase the taxation on the Native classes. What is the use of having a conquered country if it cannot be taxed? However, Indian for the Indians is now the cry, and Anglo-Indian Congresses and Bradlaughs will not let that cry drop. With the present Governmental policy and the present position of affairs, increase of taxation on Natives is not likely. This condition of things will last until Russia gets India; and then probably the banya will be bled to his heart's content.

We need not speak of the North-West frontier defences. For the last four or five years that hobby-horse has been ridden to death. We have had enough of the Baleli or Quetta defences. Certainly we must carry out our policy of opening up the Gomal and Kunder route to Kandahar, (railways included) and the Tochi-Dawar route to Ghazni, and we must bring under our own suzerainty all the tribes that do not acknowledge the Amir's suzerainty. Doubtless the Amir will not like this, but it is useless our being squeamish about what the Amir likes or dislikes. He may play us false at any moment, and it is no use our molly-coddling him too much. It is not likely that our policy in Kashmir and Chitral, in Yaghistan and all along the North-West frontier, and in the Beluch desert, finds favour with the Amir, and there are



certainly symptoms that the ties that bind him to us are a good deal strained and may snap. The report circulated last December of the approach of Russian troops within 20 miles of Herat may have some foundation. As a matter of fact we are at this moment watching two North-West frontiers, one that extends from Zulfikar to Wakhan, and the other which extends from Quetta to Peshawar. The former is watched at one end by General Maclean, and at the other by Major Durand. The hold of the Amir on Shignan and Roshan is not of the strongest, and we need not be surprised to hear that they have lapsed into Bokharan, *i. e.* Russian hands. Although the Government has taken so much pains of late years, by the employment first of Colonel Lockhart and subsequently of Major Durand and Captain Younghusband to ascertain if India is vulnerable from the side of Chitral and Yasin, we must not suppose that India is really assailable from that quarter. The line of the Hindu Kush from the Sir Ulang Pass (opposite Charikar) to Hunza and Baltistan may be held to be impracticable for an invading force. The point about which there seems to be doubt, is this : whether a force detached from Kabul could work its way through Kafirstan to the valleys of the Kunar and Dir rivers, and thence work their way down to Jalalabad or in rear of Peshawar, and so assail the flank of the defending force. This must be attended to.

From Baltistan, all along the northern frontier of India to beyond Dibrugarh, and thence southward to the frontier of Siam, our relations are with China. On our North-West frontier we have a possible, nay probable, assailant. From China, at least at present, we have no reason to fear hostility. Kashgar and Yarkand are now Chinese. The day may come when Russia will possess Kashgaria, and when Kashmir, Tibet and Baltistan will be buffer States. There is no doubt that our policy in Burma and towards Tibet has, since 1885, produced a good deal of heart-burning at Peking. Mr. Macaulay's mission to Lhasa would undoubtedly have met with much opposition had it not been abandoned. Our proceedings in Sikkim have roused much rancour, but there seems hope now of that being allayed. As for our doings all along the Burman and Shan frontier, it is impossible that the Chinese can have watched and are watching them otherwise than with apprehension and therefore annoyance. Bhamo lies so close to the Chinese frontier, that our military and political authorities engaged in conducting expeditions from Bhamo eastward, have had some difficulty in discriminating between Chinese and Burmese subjects. From Bhamo southward the western edge of the Shan plateau and the Shweli river are roughly the limits of Chinese territory. Northward,

from Bhamo to the N. E. extremity of Assam, there is no frontier. In fact this is at this moment a *terra incognita*, inhabited by Singphos, Kachyens, and other cognate tribes. It must eventually be annexed to Burma and Assam, and then a frontier with China will be demarcated. Southward from the Kunlon ferry the Salween at present forms the frontier, but only for the present. This winter a mission under Mr. Ney Elias has gone to the Trans Salween chiefs, and we may accept it as a foregone conclusion that all the Trans-Salween Shan States, bounded on the North by China, on the East by Tonquin, and on the South by Siam, will become subject to Great Britain. Our relations with China are at present friendly and should remain so. Siam will be little else than a feudatory State under our influence. From the French we can look for no friendliness. The failure of their Egyptian policy in 1882 and Burmese policy in 1885, and the little profit or satisfaction that the nation has received from Tonquin, Annam or Cambodia (despite the Exhibition of 1889) has deeply embittered the French against us. Not that we have anything to apprehend from the French in Tonquin and Annam. On the contrary, their position there, with China and England all round them, is a most critical one. If they were wise they would vacate rather than spend another man and sou on the country. We have only to read French publications about these colonies, to learn how unsatisfactory their condition is, and how little interested the French public, or indeed, the present French Government is in them. In fact it is only *amour-propre* that prevents them clearing out. They are certainly not remunerative colonies. The expectation of opening up trade with China by the Red River has not been fulfilled.

Such is a brief review of the character and condition of our frontiers. We must, of course, remember that an alliance between France and Russia is highly probable, and, if so, that we shall have one of them upon us from the N.-W. and the other from the S. E. We must also remember that if we are to look to the regular troops to defend our inland frontiers, and operate outside them, we must look to volunteer troops, aided by our naval forces, to defend our sea-board. We shall have a few regular troops quartered at each of the principal ports, but not nearly enough for their defence. At each of those ports a large number of heavy garrison guns will be mounted. The garrison artillery are insufficient to man these. They must be worked with the assistance of the regular troops in garrison, and more particularly by the local Volunteers. The superior education and intelligence of the latter specially qualifies them for garrison artillery work. The Commander-in-Chief in India in December last spoke out very plainly to the Garrison Artillery

in India and said, there was much room for improvement (he said the same to the Horse and Field Artillery, but that is outside our subject). Our maritime ports cannot look for protection to the navy, whose vessels are few in number, of second and third rate armament, and have to look after a seaboard of vast extent,—from Tenasserim all round India to Basra, as well as Aden and the East African Coast. Enough has been said in the public press to let the 60,000 or 70,000 civilian European and Eurasian population know, that their military services are essential to the safety of the Empire; but we do not hear of any systematic effort at organization being made by the Government. What has been proposed, *viz.*, the military enrolment of all classes of the dominant race in India capable of bearing arms, sounds like conscription. "Conscription" is a word that, to the orthodox Briton conveys very much the same feeling as a mention of "The Reign of Terror." Here in India the authorities have christened it "Volunteer Reserve." But we want to see something more than a name. We want to know the corps composing this Reserve, and want to see them made of something stouter than mere paper. We want to hear of them parading for instruction, and for inspection by Generals of Division or other persons appointed to review them. We want to see the civilians of high rank in the Empire taking that lead in furthering this movement that they ought to. Mr. (we should say—Colonel) Justice Bayley in Bombay sets the other civilians an example. We cannot expect the tag-rag and bob-tail to initiate here. We look to Lieutenant-Governors, Secretaries, Judges, and Commissioners to take the first steps, under the auspices of the Supreme Government to add a most important factor to the military strength of the Empire.

A C. Y.

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[INDEPENDENT SECTION.]

ART. VII.—THE RUPEE AND FOREIGN TRADE.

**I**T is agreed by those who have studied the question that the depreciation of silver began soon after the completion of the Franco-German War, when the Latin Union of the continental nations, for the equal exchange of silver with gold, at the rate of 60*d.* per oz. was abrogated. Soon after this event, Germany adopted a gold coinage, and, by throwing 10 millions sterling of surplus silver coin into the market for sale, she gave it a sudden downfall, which has, with more or less persistent effect, continued up till now. So far as one can judge, the fall in the value of silver may go on year by year, and it will go on, under present conditions, until that point has been reached, when the respective market values of silver and gold will represent the labour power necessary for their production out of the bowels of the earth. This is necessarily a fluctuating value, for in no two years of the world's history can the proportion in the world's production of the two precious metals remain equal and stable. So long as the rupee is treated as bullion, so long as it continues to be exchangeable by law at the demand of the banker and merchant, with an equivalent weight of silver bars, to any amount, at the mints of Calcutta, Madras and Bombay, so long will the exchange value of the rupee continue to be the sport of circumstances beyond the control of the Indian Government, and upset the calculations of the most careful Finance Minister.

People in England might continue to feel but a languid interest in this difficult problem, were it not that it has been recently established that the cycles of prosperity of trade, which had formerly recurred every ten years, have now given way to a permanent depression, which has lasted for sixteen years past, of which no one can see the end, and that this depression is synchronous with the depreciation of the value of silver. The two phenomena have been observed to agree so closely in point of time and effect, as to warrant the belief that one has been caused by and is the natural outcome of the other.

The question now is how best can India seek a solution and a remedy for this state of things. England is wedded to her system of gold coinage, which she will be loth to change, except for overwhelming reasons of State policy.

The export trade from India to Europe probably amounts, at the present time, to 83 millions sterling. The greater

portion of this trade is attracted to England, and is paid for principally by English goods shipped in return to India. The currency of India is silver. India has been the absorbent of the surplus silver production of the world for the past three centuries. The sudden fall in the value of silver is affecting the finances of the Government of India to an unlooked for extent, and, if any remedy for the existing state of things can be discovered, it is right that it should be first applied to India.

The only practicable remedy is to stop the coinage of rupees on private account, and to coin an equivalent amount on Government account only, with silver purchased by the Indian Government for the purpose, either in London or at the Indian Presidency mints. This precaution has, from the time silver fell in value, been adopted in Holland and her colonies, and is now the coinage system of the United States as established by the "Bland" Act.

The course of the Indian Exchange of Trade is as follows :—Formerly Indian produce was paid for in English goods, and in the precious metals, gold and silver. Silver bullion was then, by virtue of the Latin B-metallic Union, exchangeable on demand by law for an equivalent weight of silver coin, less the small charge for coining. It was also exchangeable at a certain fixed price for its equivalent value of gold coin. In the same way gold bullion was exchangeable on demand for an equivalent weight of gold coin or an equivalent value of silver coin, the ratio of weight and value between gold and silver bullion, and between gold and silver money being equally  $15\frac{1}{2}$  to 1. This law made bullion, whether gold or silver, of equal value to money, and therefore, for the purpose of this argument, it should be classed as "Money." Call English goods "*a*," and money "*b*," Indian produce was then exchanged for  $a+b$ .

After the assumption of the direct Government of India by the Crown in 1858, a third element of exchange presented itself in India Council Bills, *i.e.*, Government rupee bank drafts, sold for sterling in London and payable in India in rupees. These drafts were drawn to pay for the ever increasing English demands for interest on Government and railway loans, for the military depôts in England chargeable to India for recruits, &c., for the cost and maintenance of troopships, and for pay and pension payable at the India Office, amounting, at the present time, to about £14,000,000 sterling per annum. Call the Council Bills "*c*," Indian produce is thus now paid for in  $a+b+c$ . "*c*," it will be seen, is really a "minus" quantity; it is the reverse of tangible, it is the acknowledgment and payment of debts and

obligations already incurred, and is the commencement of the drain upon the resources of India, which all deplore, but which, under our present system of Government, it is impossible to avoid. The abolition of the Company's rule, the institution of English banks, railways, and joint stock companies in India, largely increased the number of English and European residents, much of whose pay is spent in Europe-made goods, such as food, drink and clothing, and whose savings, remitted to Europe during their years of work and leave, or after their retirement from service, form an additional drain upon the resources of India. Call these private remittances "*d*." Indian produce is thus exchanged for  $a+b+c+d$ . These private remittances are variously estimated to amount to from 5 to 8 millions sterling yearly. The value of the Europe-made goods also must be large, goods which are consumed by Europeans in India, and by the "classes" who are, in one way or another, adopting English modes of life, such as native Princes and their courts, zemindars, and money-lenders, men who are spenders, not workers, and who do not by their labour add to the productive wealth of the country in which they live. It falls within the scope of this article to indicate the causes of the fluctuations in the value of India Council Bills as represented by the varying price of silver bullion, and to point out the most feasible remedy; and it is necessary to point out that these Europe-made goods, supplied to those who do not produce goods for use, are one of the unavoidable penalties directly traceable to foreign domination. It would be impossible to obtain absolute accuracy, but a study of the Indian Custom House Returns would give a near approximation of the value of the goods which are imported for the sustenance of the classes above referred to, and which are, in this connection, luxuries, not necessities. It would not be excessive to estimate that one-half of the incomes of Europeans, one-fourth of those of the zemindar and money-lending class, and one-twelfth of those of native Princes, are thus spent out of India, or for articles of luxury not produced in India. It is beside the mark to argue that money has been borrowed for the construction of railways, and that interest is justly payable thereon, that English employees are essential for the administration of the railways and the Government, and that they must have liberty to spend their incomes when and where and how they please; all that goes without saying. It must, on the other hand, be allowed that only the railways have made it possible to transport the increased body of produce to the coast and so give it a commercial value; had it not been for the railways, other and more economical methods of administering the Government revenues would have necessarily been discovered

and acted upon. Separate then Europe goods "*a*" into necessities "*e*" and luxuries "*f*," Indian produce is thus exchanged for  $b+c+d+e+f$ . The only items in this exchange, adding to the wealth of India, are "*b*" and "*e*," namely "*b*" bullion or money always exchangeable for goods, and "*e*," useful goods. The other three items, "*c*," Council bills, "*d*," private remittances spent out of India, and "*f*," Europe-made luxuries, are "minus" quantities, forming a drain on the resources of the country, which all wise Governments would desire to see reduced to the lowest point.

As it is not necessary to pursue this branch of the enquiry further, let the problem be again stated in its simpler form, that Indian produce, while the Latin Bi-metallic Union was in force, was exchanged for three items  $a+b+c$ , goods, money and Council bills. When this Union was abrogated, "*b*," money, became split up into its two factors "*g*," silver, and "*h*," gold bullion; or, seeing that gold still remained the equivalent of money, it will be better to name the two items "silver bullion" and "money." Indian produce is thus now exchanged for four items,  $a+c+g+h$ . There was before only one variable quantity "*c*," Council bills; there are now two variable quantities, "*c*," Council bills, and "*g*," silver bullion. Silver from that time, and for the first time, entered into competition with Council bills. Silver, as the continually debasing metal of the Eastern exchanges, has had an evil effect upon India Bills in this way. It is not the shipment of silver, but its competition in private hands with Council bills, allowed by the Indian Government, that has been productive of so much mischief. From the moment that the tendereis for Council bills first said to the India Office, "if you do not accept our price for the bills we will purchase silver in the market in competition with you," from that moment the Indian Office should have replied, "we will render such competition impossible by at once obtaining from Parliament powers to stop the private coinage of silver, to purchase silver in London and India at the market rate, and to coin, on Government account, in the Indian mints, all the silver rupees needed to meet payment of our bills as they fall due, and also to purchase and coin such further quantity of silver as may be required by the course of trade." The Indian market rate for silver would thus have been the same as the London rate, but in rupees calculated at the exchange of the day, *plus* shipping and insurance charges.

Had this been then done, the Indian Government might, to this day, have kept its exchange stable at  $1s. 10\frac{1}{2}d.$  per rupee, silver would no longer have been allowed falsely to call itself "money"; it would have taken its proper place in Indian trade as "bullion," and the Government, instead of losing

heavily as it has done, would have made a profit on each year's remittances.

It may not be out of place to indicate the probable means by which the depreciation of silver has depreciated the value of Europe-made goods, and appreciated gold, each of these three items of trade acting and re-acting upon the other. Silver was originally, when at par with gold, worth 5 shillings or 60*d.* per oz., equal to a value of about 1*s.* 10½*d.* per rupee. This is called par value or par of exchange. "Silver" was then, equally with gold, "money," *i. e.*, exchangeable by law at the above rate with its then value in money. When the Latin Union was broken up, silver became *ipso facto* "bullion," it lost its position of "money," which was retained 'only by "gold," for the law as to the value of gold still remained in force. Silver became a marketable commodity with a falling and rising value.

Assume that the market price of silver fell from 60*d.* to 59*d.* The India Office then found that their bills, being sold in competition with silver, would only fetch 1*s.* 10⅛*d.* instead of 1*s.* 10½*d.*, being the equivalent of the lower market price of silver; thus  $22\frac{1}{2}d \times \frac{5}{8}d.$  equals 1*s.* 10⅛*d.* The price of silver becoming lower, depreciated the value of these rupee bills, which are purchased in London by the Indian banks and merchants in the appreciated money gold, and correspondingly depreciated the value of the rupee, which is exchanged for these bills by the Government on their arrival in India. Unfortunately, it is the appreciation of a "debt" or obligation to pay, which the Indian Government has had to make good in a depreciated currency. So that at the present time, with silver at the approximate value of 42⅔*d.* per oz., the rupee, as represented in India Council bills, is worth 1*s.* 4*d.* or thereabouts, instead of 1*s.* 10½*d.* Indian produce, which was formerly paid for by  $a+c+g+h$  in a stable currency circulating at par exchange value with gold, is now paid for by  $A+C+G+H$ . Three items in the variable exchange are altered: "G," silver is depreciated, "C," Rupee Council bills are depreciated, "H," gold is appreciated.

To put it in another way, the Council bills have not really depreciated but appreciated. The rupee currency, in which they are drawn and have to be paid in India, has depreciated, but the bills themselves, being sold in London in sterling currency, to meet obligations that have been incurred and have to be met in sterling, have appreciated in value, but unfortunately it is the appreciation of a debt, not of an asset. Hence the reason why, with exchange at 1*s.* 4*d.* or nearly so, in the place of 1*s.* 10½*d.* the Indian Government in meeting £14,000,000 of obligations have to pay Rx. 21,000,000, and



as par of exchange at 1s. 10½*d.* would have cost about Rx. 15,000,000, it has to suffer a loss of about Rx. 6,000,000 upon each year's transactions with England. As a fact "*A*," English goods, are also depreciated *pari passu* with silver or nearly so, for the reason that over-production has caused a fall in the "gold" prices of English goods. These goods, owing to cheap Russian and Indian corn (exchanged for silver) have been thrown upon the English workmen's wages, who with cheap corn is thus able to work for a lower minimum subsistence wage as represented in gold. The "classes" who at home have benefited by this huge disturbance of the world's exchanges are bankers, the holders of the world's gold, and the mortgagee class, who have lent their money to Home and Foreign Governments and Companies all over the world, their interest and principal being re-payable in appreciated gold, but really paid in the increased quantity of the world's produce as valued in depreciated silver.

Curiously the home working man also, the holder of the world's labour force, who sells this force for wages paid in gold, must be held, for the time being, to have greatly benefited by the increased quantity of goods which his wages now purchase; and though, in the long course of years, the "iron law of wages" is bound to lower these wages down to the limit at which, in each country, the unskilled worker will apply himself to provide subsistence for himself and family, yet this law is slow in operation, especially as the worker is now aided by the re-discovered principles of combination and co-operation. These principles bid fair to raise, to an at present indefinite extent, or at least to prevent the further lowering of the wages and standard of living of the producer. Accompanied by the international movement now going on for the reduction of working hours, they are calculated to absorb the unemployed, and by the increased aggregate of wages thus received and spent by the working class in procuring the necessaries of food and clothing, they show every probability of increasing the amount of the internal trade in home-produced goods and manufactures, the increased demand for which will tell in increasing their price, and the general prosperity of the home country. That is, the tax hitherto paid by the working man and the middle class to provide subsistence for paupers, bids fair to diminish in intensity, these very paupers, through the reduction in the working hours of their comrades, finding useful employment. This is, by the way, only a forecast of the tendency of future trade. If "improved trade" should thus, in the next few years, overtake and distance "production," the prices of home manufactures will rise, the Indian importer will have to pay more for them, he will reduce his orders, the total value of

English imported goods will diminish, with the result that the competition of English made goods with Council Bills will be reduced in intensity, and Council Bills will thus rise in value, *i.e.*, the value of the rupee as represented in its exchange with the English shilling will naturally increase. For the present, however, our concern is with the rupee as it now is and has been for the past 16 years.

It is thus the interest of every English workman, and of all in receipt of salaries and dividends in England, to fight against bi-metallism. For the same reason, though every capitalist, employer, and small shopkeeper lives in the daily hope of making a profit by reducing the wages of his employees, yet he sees clearly that this can only be done by keeping down, or still further reducing, the price of the necessities of life, of all products which are imported from silver-using countries. Thus the only class who in England, are vitally interested in bi-metallism, are the owners of the agricultural land in the British Isles, the thousand landlords who now find, to their dismay, the whole country against them. When Mr. Chaplin, a few months ago, brought forward his motion on the subject in Parliament, he got scant encouragement from Lord Salisbury the Prime Minister, who said that the Government could not bring in a Bill until the subject had been thoroughly discussed. Then the organs of the Democracy discussed their view of the matter, by declaring that they clearly understood bi-metallism to mean the doubling the present available supply of money in the world, which meant doubling the cost of all the food and clothing they had to buy, and was equivalent to reducing their present wages by one half. Thus bi-metallism, whatever life it may have had, is now dead in England, and the landlords know it. Their sole satisfaction is that only agricultural land has fallen in value. Town lots are as valuable as ever, and as the richer landlords are rich in town lots, these have the opportunity of buying the depreciated country land from their poorer brethren, who will thus have to go to the wall. For good or ill, the trade of all silver-using nations with civilized countries must in future be carried on in the gold standard; and if the Indian Government have hitherto hoped to benefit by the bi-metallic agitation, the idea had better be abandoned,—what salvation is possible must come from themselves.

What course is then open to the Indian Government, but also to adopt the gold standard? This standard is only required in the commercial transactions of the Indian Government and her subjects with England. This has in effect been the standard of the Government of India for this purpose from the time of the direct Government of India by the Queen in 1858,

and also during all the previous years of the Company's rule from the time, in 1815, when the silver standard was abandoned by England. For all these years all the home obligations of the Company and Crown Government have been discharged in London in pounds sterling. Up to the break up of the Latin Union, there was no need for the Indian Government to move in the matter, for the balance of trade, owing to the American war and other causes, was always in favour of India; the value of the rupee in the earlier part of the century being 2s. 6d. to 2s. 3d., and never falling below its par value of 1s. 10½d. As soon as the rupee fell an appreciable fraction below par value, it was the duty of the Indian Government to stop private coinage and coin for trade requirements on its own account. It became absolutely necessary to prevent such competition with the Indian token of value as would keep its standard value from being affected by the fluctuations of the silver trade. From the moment the Latin Union was broken up, all the silver coin of trading nations, used in the operations of foreign commerce, fell from the position of standard to that of Token coins. England recognized this by refusing to coin private silver on demand: so did France, Holland and the United States. In England silver coin is exchangeable for gold coin up to a limit of £2; in France, Holland and the United States it is exchangeable for gold coin without limit.

Thus, in all these countries, the coinage of private silver bullion was necessarily stopped, and the stability of value of the silver coinage of each Government was secured by exchanging it, without limit, into gold. The result of this change of policy has been that gold only is used for foreign commerce in the countries named. The silver coin from that time, though of token value only, circulates in each country equally with gold, and is of equal value, and is therefore, for the purposes of internal trade, equally with gold, the standard coin of the country. It is the standard because its value is fixed by law. The Indian Government is in the same position as England to this extent, that its standard, for all foreign purposes is and must be gold. Unfortunately, it has never taken the one necessary legal step to make the now token coin, the rupee, the standard of value for internal trade, by giving the rupee a fixed value of exchange in relation to the pound sterling, and by agreeing to exchange the rupee without limit, or up a certain limit, with the gold sovereign. The Indian Government already does this to the limit of £14,000,000 sterling per annum in Council Bills, exchanging these in India for Rx. 21,000,000 at or about the exchange of 1s. 4d. It also coins private silver bars in India to

the extent of Rx. 10,000 000 per annum, exchanging this value of rupees for these bars.

The only effect to be provided for in stopping private coinage will be, that the Indian Government should increase its sales of Council Bills in London to £20 666 666 at the exchange of 1s. 4d. or thereabouts, purchasing out of the additional proceeds, the £6,666,666 worth of silver bars for shipment to India, and paying in India for these Council Bills, as they fall due, the total amount of Rx. 31,000,000. Here the exchange rate has been assumed at 1s. 4d. for convenience of calculation, and because it is very nearly the actual rate now obtained. The effect of such a law passed by Parliament would be that the Indian Government would agree to exchange rupees for pounds sterling at the rate of 1s. 4d. per rupee. The result of this simple, but vital change in the position of the Indian Government would be, that it would *guarantee* the value of the rupee to be 1s. 4d. to the extent of £20,666,666 per annum. From the time that such a law was passed, the value of the rupee would be fixed at that rate, and would be independent of the fluctuations of the silver bullion market, no matter how low silver bullion might fall below its present value per ounce. No more silver bullion would be shipped to India by the Banks for conversion into rupees, for the simple reason that the Indian Government would refuse any longer to coin it for the Banks.

It would only continue to be shipped as a commodity to such extent as would supply the demand for manufacture of ornaments and for re-shipment to other foreign countries. Suppose, for instance, that subsequent to the new policy being initiated, the value of silver bars were to fall to 1s. 3d. per oz., one rupees weight of silver would sell in India for 15-16ths of one rupee. It is interesting now to trace what would be the effect of such further fall in the value of silver. The value of the rupee being 1s. 4d. as fixed by law, the obligations of the Indian Government would be met by the payment of Rx. 21,000,000. But for this law the Government would have had to pay about Rx. 22,400,000, and they would thus be saved a further loss of Rx. 1,400,000. The Government would have been saved not only this loss, but have made a gain or additional seigniorage of 1-16th of the Rx. 10,000,000 worth of silver purchased upon Government account amounting to Rx. 625,000. But silver bullion having, by this action of the Indian Government, been divorced from its former false position of money, its influence upon the Indian rupee is lost. It has no further effect either for good or ill, except to depreciate the value of the hoards of silver jewellery, waist chains and anklets held in the country, which will only be saleable at the reduced price of silver. Indian produce will be purchased

in India for the same value in rupees as before the fall in silver, and through the fixed exchange of the Government, be sold for the same value in pounds sterling in Europe. The merchant who now has telegraphed to him daily the London price of silver, will no longer be obliged to regard its fluctuations with concern. The exchange value of the rupee, as fixed by the Government of India, will, in future, form the basis of his commercial transactions with Europe.

But it is by no means likely that silver bullion will fall in value to any appreciable fraction below the fixed value of the rupee. Silver will, as formerly, make up the balance of trade transactions with India; it will be purchased, shipped, and coined by the Government for this purpose, and will therefore be as much in demand as before. It has already been shown that the rupee value of Indian wheat has ruled the price of this commodity all the world over, and thus, as the universal food of civilized man, has formed the basis of value of the majority of manufactured articles and of the wages of the workman who produces them and lives by them. The price of Indian wheat has thus also ruled the price of silver bullion, produced, like other commodities, by labour, and which only fell in value through the competition with Council Bills unwisely allowed by the Government of India to exist. It is more than probable that, this incubus being removed, the price of silver will, within reasonable limits, continue yearly to approximate to the legally fixed value of the Indian rupee, whatever that value may be. Suppose, for instance, that the Indian Government should fix that for the next 12 months certain, it would sell its Rupee Bills for sterling in London or India at the price of 1s. 5d. per rupee, the probability is, that the price of silver bullion would immediately, or within a short period, rise in London to the equivalent of that increased price, as a consequence of the known fact, that the Indian Government is necessarily the largest purchaser of silver bullion in the world, and thus holds the most commanding position in the market. If the price of silver should not rise, then so much the better for the immediate financial position of the Indian Government, which would make the clear profit of one penny in each rupee, equal, as already stated, to Rs. 2,025 000. The Indian Government, however, would not commence by raising the rate. The present paramount necessity is, that the real exchange value of the rupee should be known, and that this knowledge should be discounted for at least six months in advance. To the merchant it matters not what its value is; the railways are bound to bring the produce to the coast, and the merchants will despatch it to Europe; but the exchange of Europe goods with Indian produce has hitherto been one huge gambling

transaction, because the merchant in India, and the merchant in Europe have had only the vaguest idea of what the value of the rupee would be in the ensuing year, and have only been able to trade by contracting for the exchange rate with the Banks, months in advance.

It seems, therefore, the safer plan that the Indian Government should declare, that, having stopped the coinage of private silver, it will, for the ensuing 12 months, sell its Rupee Bills at the average rate obtained for the current year, viz. *1s. 4¼d.* or thereabouts, and allow the novel conditions of trade to become established. Should the value of silver during the ensuing twelve months rise above the fixed value of the rupee as declared, the Indian Government would incur an immediate certain loss, but its future financial position would be bettered. For the following years, when the Indian Budget was brought forward, either at Calcutta or London, the Government would declare what would be the fixed rate of exchange of the rupee for the ensuing twelve months, commencing six months from the date the declaration was made. As again it would be safer not to make sudden changes at the end of the first year, it would be sufficient, for the following year, to declare that the Indian Government would, six months from date, raise its rate of exchange by 1-32nd of a penny, by increments of 1-32nd of a penny per week, which would, by the end of the ensuing 18 months, increase the rate by *15⅞d.*, making the value of the rupee, at the end of the term, *1s. 5⅞d.* It would not be necessary that the Government should sell an equal amount weekly, the amount of the sales should correspond with the busy and slack seasons in India, and would be regulated by the trade demand.

The commercial world is usually keen to understand those financial measures which affect it, and within a month of each measure of policy being declared, its effect would be seen and discounted, and the Indian Government would have time to consider what further steps it would be prudent to take.

Through all the long course in the debasement of silver bullion for the past 16 years, there is but one consensus of opinion, that, upon the whole, the value of the rupee has not depreciated in India, its purchasing power has remained steady. What is equally accepted as a fact is, that the merchant in India, finding it impossible, as the corollary of the above rupee values, to increase the rupee values of the Europe goods ordered by him, has been able, through the weakness,—induced by the depreciating value of silver,—of the English market in London, Birmingham, Belgian and Manchester goods, by means of the telegraph, to decline to enhance his offered prices beyond the old rupee limits, has depreciated the English

prices until they came down to his figure, and thus, placing his orders in sterling at prices equivalent in India to the old rupee prices, has succeeded in throwing the loss by exchange upon the shoulders of the English manufacturer. In this he has been helped by the Suez Canal, by means of which Indian produce is now exchanged for English goods in a remarkably short time. The converse of this is now likely to happen under the new order of things. Should the Indian Government find it advisable to establish a rise of one penny in the value of the rupee, the price of wheat being steady in India, and Indian wheat ruling the world market for this article, wheat will in due course of time be sold in London and Liverpool at one-sixteenth above its present price, and will thus rule the market price for all Europe manufactures, silver included, which will also rise in value to an equal amount.

If then the change of policy here advocated has been argued upon right lines, a policy which may at some future time bring back the rupee to its par value, the proper course for the Indian Government to pursue is, to stop the competition of the silver market with Council Bills, and for this purpose to obtain from Parliament the abrogation of the Act by which silver bullion in private hands is coined into rupees free on demand.

It is interesting also to notice that by proceeding upon these lines, every silver-using country throughout the world, having its own minted coinage, will participate equally with India in the beneficial connection with the monometallic gold coinage of Europe. By shutting out the private coinage of silver, and supplying the trade demand from its own mint, its silver coinage will become its standard token coin for internal trade, and will exchange at fixed rates with gold; these rates, within reasonable limits, approximating to those fixed by the Indian Government. This favourable forecast in respect of foreign countries outside of India must, however, be taken with this reservation, that their Government bills, drawn upon them to meet their obligations in Europe, must not exceed the balance of trade in their favour, *i.e.*, must not exceed the difference or excess of exports of produce over imports of Europe goods. Unless the value of the exports is sufficiently large to balance the imports of Europe goods, bullion and Government bills, the credit of the Government is impaired, and bankruptcy and repudiation come within measurable distance.

Up to now the energy which English blood has imparted to the Government of India has prevented this catastrophe, and the export trade has not yet reached its limits; but we know at how great a strain on the material well being of the

country this trade is being carried on, and we must be careful, in our eagerness, not to draw the reins too tightly.

D. GOSTLING.

P. S.—The above article was written in August of last year during the voyage out to India, and was one result of a trip home, in which the writer had enjoyed the opportunity of studying Indian questions from the English standpoint. When the article was being written, exchange was at 1s. 4d. or nearly so, and was steady, showing no signs of that slow and persistent rise that shortly after commenced. Exchange has since gone up almost without a break in its upward movement till it touched 1s. 5½d., and now, in the middle of February, it has, within the short space of a week, tumbled down to 1s. 4⅞d., a fall of fully ½d., or 3 per cent, sufficient to change many an expected merchant's profit into a serious loss, and through the influences induced by panic, to make steady exchange values impossible. It is too soon to indicate what has been the cause of this sudden fall; the only warning note has been that the Bank rates for forward bills have been throughout markedly lower than those for ready transactions. It is also difficult to understand, without fuller information than is at present available, the causes of the steady rise, which has only too quickly come to an end, and dashed to the ground the expectations of many who had convinced themselves that the rupee would shortly touch 1s 6d. It is probable that more than one cause has been in operation.

It may be that the last year's harvest in India has been better, causing more produce to be brought to the coast; or that the extension of special railways—such as that through Nagpur and Raipur to Orissa and towards Calcutta—has opened up new markets of Indian produce hitherto not available.

It is likely that the labor disputes in England and on the Continent have had much to do with the change for the better. The workman in the unskilled trades is showing a solidarity and power of organization such as he never before exhibited. Agitation had been going on for a long time past among the coal miners in the North of England, Scotland, Belgium, and Prussia for the purpose, partly of reducing their normal day to eight hours, and partly with the view of reducing the output to five or four day's work per week. The agitation has extended to the skilled and unskilled workers in the iron trades, and the result has been that in July of last year, wrought iron had gone up 10 per cent. and showed signs of making another rise of 5 per cent. It is now in some descriptions 50 per cent. higher in price than in the corresponding month of last year. The workman's wages have been increased perhaps 30 per cent., being



equal probably to 10 per cent., or a one-fifth share of the above total rise in price, the remaining four-fifths, as is usual, having gone into the pockets of the host of middlemen, without whom business in England is impossible. In the meantime something like a panic has set in, so much so, that in the machinery and other iron trades, makers have been laying in heavy stocks of the raw material, in order to secure themselves against the effects of a further rise.

The rise in home values has at last reached the Lancashire Spinning Mills, which are now having better times than they have had for years past. The natural consequence of the increase in gold prices of Europe-made goods is, that the native merchant in India not being able to get his goods at the old figures, may have been slow to increase his rates, with the result that fewer goods are being ordered and shipped to India, and that a greater demand has been therefore made for remittance to India upon silver and Council Bills.

It remains to be seen if the British workman is able permanently to increase the prices of the goods made by him. It should be remembered that new machinery is ever being invented to increase the power of production.

In the meantime we have for some time past in Bombay witnessed the spectacle of the Exchange Banks, which, having presumably shipped much silver to India for coinage into Rupees, and being unable to get delivery of it quickly from the mints, have been obliged to borrow what money they could from the local Shroffs at high rates of interest for two months, in order to meet their current obligations.

Had exchange continued to go up steadily and continuously without a fall, a policy of waiting upon events would probably have been the best for the Government to pursue. But this sudden drop shows that the Indian Government is still the sport of circumstances, and that it must make the strongest efforts to release itself from the chain of existing evil surroundings. All that can safely be predicated at present is, that the values of English-made goods are likely to be higher for some time to come than in former years, that these higher values will somewhat restrict their shipment to India and cause a greater demand upon silver and Council Bills. It may also be that the greater output of gold in Africa is somewhat depreciating its value.

Still the duty of the India Government is clear, to move the English Parliament to pass a new Bill giving power to stop the private coinage of silver, to purchase silver, and coin on Government account all the rupees required for trade demand, as detailed in the above pages.

D. G.

## ART. VIII.—TIMUR.

**T**IMUR has had the misfortune of being servilely flattered on the one hand and severely traduced on the other. Of the two historians who have written largely about him, neither has done him full justice. Sharafuddin sees nothing bad in his character; Arabshah nothing good in it. The former describes him as an emblem of purity, and lauds him up to the seventh heaven, the latter represents him as a monster of cruelty and condemns him to the bottomless pit. The fact, however, is that both are guilty of wilful concealment and have given garbled accounts.

Sharafuddin makes too much of the light side without taking notice of the dark; Arabshah, on the contrary, makes too much of the dark side without taking notice of the light; and hence the pictures they have presented differ so much from the original. These extremes of partiality and malevolence were due to the different feelings by which the two authors were influenced in respect of the subject of their memoirs. The Persian was so deeply moved with a sense of gratitude that he employed all the powers of his pen in extolling the great hero who had brought peace and order unto Iran where there was anarchy and confusion: whereas the Syrian could not but breathe vengeance against the ruthless destroyer who had made a clean sweep of Aleppo, Damascus and Bagdad. It is only by correcting the luscious sweets of the one by the bitters of the other that the genuine article can be educed in its primitive purity.

A kinsman of the great Chingiz, Timur was undoubtedly of noble origin. But noble as his origin was, his feelings were nobler still. He felt more for his country than his country felt for him, and stood forth as its deliverer when he was very young. He was a born soldier, and had fleshed his sword just after entering on his teens. Since the fall of the house of Chingiz, Transoxiana had been torn by intestine feuds and factions. The emirs aspired to independence and drew their swords against each other. The Khan of Kashgar, taking advantage of this state of affairs, invaded the country with an army of Getes. Timur was ready to fight for his fatherland, but not being supported by the chiefs, reluctantly retreated to the desert with his family and a few faithful followers. Some years after, fortune smiled upon him. Many of his brother nobles met him in the desert and induced him

to return. He came back and his trusty band being increased by the bravest of the tribes, he encountered the Getes, and having defeated them in several engagements, turned them out of the land of the Chaghtai. His countrymen were so highly pleased with his noble and heroic conduct that they unanimously invested him with *Imperial* command in 1370 A. D., when he was aged four and thirty years only. But Transoxiana was too small a country to satisfy the ambitious spirit of Timur. Like young Ammon he longed for the conquest of the world. He first turned his eyes towards Iran or Persia. This country had been conquered by Hulagu Khan, the grandson of Chingiz in 1250 A. D., and was held by him and his descendants for several decades. On the death of the last of them, Abusaid, it was left without a lawful sovereign. Anarchy prevailed in consequence, and the provincial governors took advantage of it by playing the tyrants. But as they did not live in peace and harmony with each other, they at last fell victims to the sweeping arms of Timur. Many surrendered at discretion, and the few that stood up against him were eventually forced to yield.

Of these brave princes, Shah Mansur of Faris or Persia Proper, was conspicuous for his courage and bravery. He engaged the proud Mughal under the walls of Shiraz, and had well-nigh defeated him, when the tide of victory turned and overwhelmed him. His head was thrown at the victor's feet, who rewarded his valour by extirpating his intrepid clansmen. In this way the whole of Iran came under the sway of the great Mughal.

Timur then invaded Tartary. This country consists of two parts, the eastern and the western. The former is known by the name of Turkistan, the latter by that of Kipzak. The vengeful Mughal passed the Sihoon, defeated the Getes, and took possession of the kingdom of Kashgar. Kipzak too fell before him after some resistance. It was ruled by Tugtamish Khan who was under much obligation to the House of Chaghtai. But having proved ungrateful, Timur attacked him in his own land and made him feel the force of his mighty arm. The unfortunate prince fled from his kingdom, and after some vain attempts at regaining his throne, at last perished in the wilds of Siberia. Even Russia was threatened by the victorious Mughal, and a Duke of the reigning family was made prisoner amidst the ruins of his capital; but fortunately for the trembling Russians, their rich metropolis, Moscow, escaped his arms. He turned southwards, and having in the way reduced to ashes Azoph, Serai and Astrachan, returned to Samarqand, loaded with riches and spoils.

It was in 1397 A.D., that Timur first proposed to invade

**Hindoostan.** When this proposal was made known to his princes and emirs, they were quite startled, for they were under the impression that it was very difficult, if not impossible, to carry it into execution. They accordingly expressed signs of discontent ; but Timur was not the man to be thus dissuaded from an enterprise on which he had set his whole heart. But though he was of an adventurous spirit, he was not open to the charge of rashness. He first engaged spies to ascertain the state of the Indian Empire, and being informed by them of its weakness, sent his grandson Pir Mahommed to pave the way for him by reducing the Panjaub and Moultan. The Patan rule was then in a tottering state. The Emperor Mahmood III was a very weak ruler and was despised even in his own harem. Most of the satrapes revolted and proclaimed independence. As for the distant provinces of Bengal and Bihar, they had become independent long before. Chaitmal, son of Raja Gonesh, was then on the throne of Gaur. He was a worthy prince and ruled the kingdom with justice and moderation. Timur who possessed strong common sense easily saw that though the enterprise wore a very tremendous aspect, it was easy in the execution.

It was in the latter part of 1398 A.D, that Timur set out on his Indian expedition at the head of ninety-two thousand horse. Writers differ as to whether he took the Lamghanat or the Bangash road, these highways being respectively situated to the north and south of the snow capped mountain-range which crosses Cabul from west to east. The former road led to the site of Atok, the latter to Deencote. But whatever doubt there might be as to the route taken by that invader, there is none about the month in which he passed over to India. It was October, and De la Croix even goes so far as to state the very date, which, according to him, was the eleventh. After crossing the Indus, Timur did not take the right royal road to Delhi, which was by Rotas and Lahor, his first object being to effect a junction with the army of his grandson Pir Muhammad, who was then besieging Moultan. He accordingly directed his course towards the south east, and after two and ten days arrived at the confluence of the Chenab and the Beas. Thence he proceeded to Toulamba on the Ravi, and reached it after one day's march, leaving the main army behind. Toulamba was a considerable town and a pass of consequence. It was in the vicinity of this place that the warlike Malli had showed such a bold front to Alexander the Great. Timur stayed at Toulamba six days, by which time his whole army had joined him ; and then proceeded with it across the Baree Doobah to Shanawaz, a large and populous town near the south bank of the Beas, after its separation from the Sutledge. Thence he

crossed over to the town of Jenjian on the south bank of the Beas, where he was joined by Pir Muhammad after the latter had taken Moulton. Three marches from Jenjian brought the Mughal army to Jehaul on the road to Delhi. Here Timur separated from his grand army, which he directed to proceed by Dipalpur and to rendezvous at Samanah, whilst he proceeded with ten thousand horse to Bhatnir, a strong fortress situated beyond the desert which stretches along the south side of the Sutledge. That stronghold had a great reputation for strength, and one might think that he was led to it by some such inducement as had led the Macedonian hero to Aornos. By rapid marches he soon reached Bhatnir and reduced it in a few days. Thence he proceeded towards Samanah, where he joined the main army on the 8th December 1398 A. D. Delhi was about eight-five *cosses* from Samanah, which the Mughal army travelled in twelve days. Timur laid siege to the metropolis of Hindustan. Delhi was strongly built and might have stood the siege for a considerable time, but tempted by the appearance of weakness on the part of the Mughals, the foolish Emperor, and his equally foolish vizier, descended into the plain with 10 000 cavalry, 4,000 foot guards, and 120 elephants. The elephants made a fierce charge, but no sooner were these unwieldly animals routed than the soldiers turned their backs and fled for life. Mahmood escaped to Guzerat, and Delhi thus fell into the hands of the Mughals. The victor made his triumphal entry into the far-famed Capital, but the glory of the victory was polluted by a general pillage and massacre. Some days after, he made an excursion to the north-east into the Doab, took the city of Mirat, twenty-three *cosses* from Delhi, advanced to the Ganges which he passed, and having fought several battles by land and water penetrated to the famous rock of Coupele, the Kanakhala of the Sanscrit poets, where the sacred river issues out of the Srinagar mountains. From the banks of the Ganges he proceeded to the north-west along the foot of the Sewalic hills, by Meliapur, Jallindhar and Jammoo, to the Indus, which he crossed, and returned to Samarqand by the same route by which he had come.

The Emperor Mahmood came back with a heavy heart to Delhi which had not yet recovered from the terrible shock it had received from the Mughals. Though he was not deprived of his throne, he was deprived of everything that gives it honor and dignity. The few years that still remained of his unhappy life were passed in obscurity, and he died unwept, unhonored and unsung. With his death terminated the Patan rule in Delhi.

After the conquest of Hindustan, Timur cast his eyes upon the Ottoman Empire. Sultan Bayazid had become too

proud and powerful, and it was high time that he should be put down with a high hand. Timur accordingly invaded Anatolia with a large army. The Sultan encountered him at Ancona, where after a hard-fought battle, the strong Turk became a prisoner in the hands of the stronger Mughal. The pride of Bayazid was humbled to the dust, and he felt his reverses so very deeply, that a few months after they were buried with him in the grave.

The last enterprise in which Timur was engaged was the conquest of China. That country had been conquered by Kublai Khan, grandson of Chingiz Khan, but it afterwards passed again into the hands of the Chinese. Timur had a mind to restore the Mughal sway in that land, and it is very likely that had his life been spared only a few months more, he would have fulfilled his desire. But as it was he died on the way on 1st April 1405 A. D. Thus China was saved from impending ruin, and fourteen years after his death the most powerful of his children sent an embassy of friendship and commerce to the Court of Peking.

The fame of Timur which has pervaded the whole world rests principally on his conquests. Ambition was his ruling passion : it gave him no repose, but led him on from conquest to conquest. Even the infirmities of age did not weaken it in the least. It rushed on like a mighty torrent sweeping down every thing that stood in its way, and it had made a very long circuit indeed, when it was swallowed up in the grave. After he had humbled the pride of the Turkish Sultan, there was none bold enough to measure strength with him. He was justly called the Emperor of Asia. As for the sovereign of the Celestial Empire, though he fortunately escaped his arms, still he trembled at his very name. The proud title of Conqueror Timur fully deserved. His conquests surpassed those of his great ancestor, Chingiz Khan, and rivalled those of the Macedonian Hero. But he seemed to have made conquests for conquests' sake, and if he had any other object in view, it was plunder. Barring Transoxiana and Persia, which he laboured to improve and adorn, this remark applies to almost all his other conquests. After he had fleeced and destroyed the most flourishing cities, he left the provinces to shift for themselves, taking no thought of them for the future. Thus, in many cases, his most destructive inroads remind us of the much-dreaded king of the Huns who was very aptly styled the Scourge of God. Timur was so much elated by his rapid successes that he sometimes forgot that he was a mortal ; and his feasts of victory were generally celebrated in the midst of columns and pyramids of human heads. He was certainly a ferocious man of blood, and the victims of his cruelty were

simply innumerable. The philosophic historian of the Roman Empire justly observes that perhaps his conscience would have been startled, if a priest or a sage had dared to number the millions whom he had sacrificed to the establishment of peace and order.

But though Timur was cruel in conquering, he was not equally cruel in ruling. Indeed, his government was characterised by justice and impartiality, and his subjects found so much to admire in him that they revered him almost as a deity. Even his bitterest enemies could not deny him some praise in the matter of his administration in which he stood alone, having had no minister to assist him. But it was only by fits and starts that he could look into the affairs of his government. Like the illustrious Tribune Rienzi, he was patient to hear, swift to redress, and inexorable to punish. Even his sons and grandsons, if they committed some offence, or deviated from the path of duty, did not go unpunished. Vice and idleness were abolished, and his vast dominions were so far reclaimed from anarchy and rapine, that even the weakest mortal might carry a purse of gold from one end to the other without running the risk of being robbed or hurt. The main reason why Asia again fell into chaos and confusion after his death was his not having had due opportunities of consolidating it into a compact whole. That difficult task was left to his successors, but it was too much for their ordinary abilities. As a matter of fact, the blessings of his administration vanished with his life; and the power of his descendants was steadily on the decline till it was utterly destroyed by the Uzbeks on the one side and the Turkomans on the other. The race of Timur would have been extinct, if Umar Shaik Mirza, a descendant of his in the fifth degree, had not fled before the Uzbek arms to the conquest of Hindustan.

Chingiz was illiterate, but not so Timur. The latter, though ignorant of the Arabic tongue, was well up in Persian and Turkish. It is believed that he himself composed the *Commentaries* and the *Institutions* of his government. The winner of seven-and-twenty crowns felt great pleasure in conversing with the wise and the learned; and he frequently rewarded them with rich and valuable presents. But much as he valued them for their learning, he all but despised them for their want of military merits, and while out campaigning it was his usual custom to place them in the rear of the women. Timur's liberality was equal to his rank and position. But he was too wise to emulate the magnificence of the Persian kings or the extravagance of the Caliphs of Bagdad. In fact, it was only at the nuptials of his grandsons that he much exceeded his usual limits. On these happy occasions he spent

money with both hands as a Hindu would say. Not to speak of the *feti's* and festivals, the illuminations and the masquerades, which were all celebrated on a grand scale, the bridegrooms and the brides were, after the marriage contracts had been ratified by the Kazi, dressed and undressed nine times; and at each change of apparel, pearls and rubies were showered on their heads, and contemptuously abandoned to their attendants. Some such magnificence and prodigality were shown at the nuptials of the Caliph Almamon, so that Milton was perfectly justified in writing as he did,

Or where the gorgeous East with richest hand  
Showers on her Kings barbaric pearls and gold.

Timur was certainly liberal, but he was not liberal to a fault: he was not impoverished by his liberality. In his religion, Timur was a zealous, though not perhaps an orthodox, Musalman; and it seemed that he paid greater reverence to the *Yaksa* (Law of Chingiz) than to the Koran. Hence Arabshah takes him and the Mughals to task for their impiety, and he would not believe that his younger son, Sharokh Mirza had abolished the use and authority of that Pagan Code. But impious Timur was not. The fact was that he held his great ancestor in the highest esteem approaching almost to adoration, and having so regarded him, it was only natural that he should pay implicit obedience to his laws. And these laws anticipated the lessons of philosophy, and established a system of pure theism and perfect toleration.

SIHUMBHOO CHUNDER DEY,  
*Pleader, High Court,*  
*Calcutta.*



## ART. IX.—OLD COINS.

A CYNICAL observer might feel disposed to class the collector of old coins with the gatherer of postage stamps, editions of the *Pickwick Papers* in the original covers, and other such curiosities; and it is not to be denied that some owners of coin cabinets would find it hard to give a rational explanation of their fancy for collecting specimens of uncurrent mintages.

Nevertheless, the cynic I venture to think, would be mistaken, and the existence of collections of old coins can be justified on better grounds than the mere whim of the possessors. Even the most uncritical collector has his use; for, however ignorant he may be of the real value and manifold interest of his cherished treasures, he has at least the merit of rescuing them from the melting pot for a time, and, if good luck transfers them from his hands to those of a skilled numismatist, the documents ignorantly gathered may, when critically examined, fill up yawning gaps in the history of the past.

I have called coins documents. The appellation is one not generally given to them, but they certainly deserve it as well as any inscribed stone or papyrus, and when, properly interpreted, can be forced to yield up many of the secrets of bygone times.

India is a vast storehouse of ancient coins in endless variety. Every rainy season thousands and thousands of them exude, so to speak, from the surface of the innumerable mounds of ruins which are scattered over the face of the country, and a great many people resident in India form large or small collections. It is, perhaps, safe to assume that most of the owners of such collections belong to the uncritical class, and are not very deeply versed in numismatic lore. They will find their cabinets of much more interest to themselves and of use to the world, if they know something of the lessons to be learned from dingy, and often very ugly and misshapen bits of silver and copper, and in the hope that the readers of the *Calcutta Review* may include some unlearned riders of the numismatic hobby-horse not too proud to take a hint from a fellow cavalier as to the management of their steed, I will try to indicate some of the uses to which old coins, especially in India, can be turned.

Historic philosophers of the modern schools are inclined to despise the old annalists who bothered themselves very little about social development, and were content to record the loves and hates, the battles, murders, and sudden deaths of the kings and princes of the earth. But the philosophers have climbed to their airy height by clambering on the shoulders of the humble annalists, and in practice it is found, that the well-filled canvas, depicting the story of the people's inner life, cannot be stretched without the aid of the old-fashioned framework of reigns and dates.

I claim that my friends the old coins can do right good service to the most philosophical historian, and help him to see a good way into the various walls which block his path, but their use to the less ambitious chronicler is more obvious and indisputable.

It is almost superfluous to repeat the trite observation, that the nations of India have not cared to preserve their annals in any consecutive, intelligible, literary form. Modern scholars by dint of much groping among Puranas and epics, succeed in picking up some few fragments of what passes as historic truth, but, considering the mass of Indian literature and the ardour of the search, the outcome is disappointingly small.

The lost early history of India so far as it has been recovered from the dusty oblivion of ages, has been the discovery, not of the student of literature, but of the archaeologist. The commentator on books has been able to do little more than illustrate by his studies the discoveries of the excavator and coin collector.

The indispensable chronological or segment scaffolding of history in India is certainly as much indebted for its erection to the numismatist as to anybody. It would be an unwarrantable attack on the patience of my readers to enumerate a tithe of the names of dynasties and kings which have been restored to the domain of history by the testimony of imperishable coins, but I may be allowed to cite two very conspicuous cases.

A few slight allusions, occupying perhaps twenty lines altogether, in Strab's and other Greek and Latin authors, are all that books can tell of the long series of Greek kings who ruled in Bactria and on the northwest borderland of India after the death of Alexander the Great, for a period of more than three centuries. Coins have disclosed the names of a multitude of these Greek princes, and to a very large extent have determined their mutual relations and chronological position, thereby rendering no small aid in the reconstruction of the history of India proper.

The second great numismatic discovery of this class to which I have alluded, is that of the great Gupta dynasty which ruled

Northern India from the Gulf of Cutch to the Bay of Bengal in the fourth and fifth centuries of our era. A chance coin picked up by Lieutenant Conolly at Kanauj, gave the first intimation of the existence of this dynasty, and the subsequent finding of specimens of its mintages in extraordinary variety, and frequently dated, has done much to render possible the writing of an interesting chapter of Indian history, which had completely vanished from the memory of man.

There is plenty of room yet for brilliant discoveries in the very imperfectly explored regions of the early history of India, and no owner of a coin cabinet need despair of being the happy man to find in his drawers a coin which will add, if not a whole chapter, at least a paragraph to the history of India which somebody will have to write some day. It has not been written yet.

Some rudimentary coins are nothing more than plain little oblong bits of metal of a certain weight but ordinarily coins bear either an "image" or a "superscription," and very often both. We all know how the image and superscription of a penny were once used to enforce a moral lesson. Other lessons, too, can be learned from the two faces of a coin.

Could anything bring home more forcibly to the mind the vast extent of the Roman Empire and the vicissitudes of human affairs than the coin of Claudius which was picked up near Madras and commemorates the conquest of Britain, then a land of half naked barbarians? That coin now reposes in a museum formed by men of Britain, whose Empress-Queen now rules an empire far exceeding in magnitude even that of Imperial Rome, and including in its ample bounds those mysterious shores of Ind, which the Lord of Rome knew only from the vague and confused reports of merchants who laid at his feet the silks and spices of the East.

In spite of the allusions to the subject in Pliny and other ancient writers, the development and persistence of Roman trade with India in ancient times could hardly be understood without the help of the numerous imperial coins covering a period of about six centuries which have been found in India from Peshawar to Cape Comorin.

Coins, moreover, teach us that the Roman did more for India than pay her in good specie for the luxuries with which she supplied his wardrobe and table.

There is every reason to believe that the introduction of a gold coinage into India was solely due to Roman influences, and a striking evidence of the accuracy of this assertion is afforded by the fact, that the portrait on the coins of one of the Indo-Scythian kings of the Panjab in the first century of our era, is a copy of the well-known image of Augustus.

So late as A.D. 400 the Gupta gold coins display, in their design and workmanship, clear traces of the long lasting effects of Græco-Roman artistic ideas.

Modern Anglo-Indians would be thankful if their governors could be as successful as the old Indo-Scythian kings in solving the gold currency problem.

It is pleasant to believe, though it must be confessed the proof is not quite conclusive, that certain square pieces, bearing the impress of the Great Alexander, were struck in India, and are contemporary memorials of his wonderful expedition into the country of the five rivers.

I have given above a slight indication of the way in which old coins throw some rays of light on the obscure history of Indian art. The coins of Bactria, which have been already referred to for another purpose, are, as Professor Gardner has pointed out, of special interest for their artistic qualities. Their most conspicuous peculiarity in this respect is the uncompromising realism of the portraits of kings, in which they rival the later Roman art, and it is impossible to look at a coin of Eucrátides or Menander without feeling certain that the spectator has before him an authentic contemporary portrait of a mighty man of old India proper, unfortunately, never succeeded in producing a die-cutter who could execute a real portrait.

The mintages of the Bactrian kings and of the Indo-Scythian dynasties of the Panjab are also full of interest to the student of ancient mythologies. Greek deities appear on the coins, but much changed from the gods and goddesses as they were known in Greece before their transplantation to Asia, and coins are an unmistakable and indestructible record of a long continued conflict and reaction of religious ideas in India and the neighbouring countries.

Siva, with his bull and trident, is the most familiar figure on the Indo-Scythian pieces, and it is impossible to call him anything but Siva, while it is equally impossible to avoid seeing that he also is a partial expression of the Greek conceptions of Herakles and Poseidon.

The same series of coins exhibits an equally strange mixture of Greek and Persian mythologies, and more than one scholar is now engaged in trying to solve the problem in the history of religion thus suggested.

The presence of legends in clearly executed Greek characters, and in the Greek language on many of the Indo-Scythian coins, is a clear proof that Greek was tolerably familiar to the ruling classes in the Panjab during the first and second centuries of our era. I do not, of course, suppose that Greek was commonly understood, but the use of the Greek language on the Panjab

coins may fairly be compared with the employment of Latin legends on the mintages of Europe

At the seats of foreign trade on the western coast in Guzerat, coins, with corrupt Greek legends, were struck as late as A.D. 400. -

The value of old coins to the students of ancient alphabetical characters and linguistic forms is tolerably obvious, but I could not dwell upon it without entering too far into dry technicalities. Perhaps I have said enough to prove, that the riding of the numismatic hobby-horse is not an utterly frivolous amusement ; and to show that every collector of old coins in India has good reason to hope, that he may have the good fortune to make a substantial contribution to the recovery of the lost portions of the history of India.

I will conclude with a quotation, which has already done service.

"La Numismatique est patiente, et elle amasse les faits spéciaux qui la concernent, jusqu'à ce que l'histoire vienne plus tard en donner la véritable clef, si jamais elle le peut."

I hope my readers equal La Numismatique in patience.

V. A. SMITH.

*Bengal Civil Service.*

*9th February 1890.*

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## ART. X.—THE UNCOVENANTED SERVICE.

"They rose in dark and evil days to right their native land."

THESE words, with the exception of "native," might be applied to many men who, in the dark and evil days of the Mutiny, earned for themselves or their children, by deeds done to save the country, the gratitude of the Government they helped to save. They were glad of their reward naturally, and thus served Government for years in the drudgery of a Deputy Magistrate's work or that of a Sub-Judge, doing hard and honest work. Some of those men thought they should like to lay their bones at home, or to give their children a better education than can be got from ayahs and bearers. They calculated the cost, and came to the conclusion that a man might live and bring up a family decently on so much per annum, which was the then VALUE of the sum he had earned as a pension. He accordingly quitted the scene of his labour and returned to the old country, making his arrangements according to his income. He had not read the Arabian Night's possibly, and assuredly did not think that romance governed the policy of the Government he had served, and perhaps fought for. After a time, however, the value of silver went down, and he was paid in silver. He found his income on which he had reckoned on retiring about one-half of its value, and naturally asked how can these things be. He was told that the poor ryot could not be taxed to bring his pension up to *what he had earned*, and that he must quietly sit down and take what he could get and be thankful. He could not rejoin his Service. That was over, and he must simply grin and bear it. This is the position of the Uncovenanted Service now, and only requires stating, I hope, to bring a remedy. If Government had told their servants that they were to be paid in fowls they could have understood their position, they could have watched and probably rigged the fowl market. They were told they were to be paid in the current coin of the Empire. That coin was then worth 2s., and they naturally did not speculate on its going down to  $\frac{1}{4}$ . If any thing seemed secure, it was the coinage issued from the mint in Calcutta. Now we are told that that coinage is, like the illustration I have given "fowls," and is bought and sold, like those useful animals in the market, for what it will fetch. I was induced to enter into this controversy by seeing an Irish paper take up the view, that any concession to the Uncovenanted Service would be a gross injustice to the ratepayer in India.

Now let us consider the subject from the point of view of the ratepayer all over the country, apart from the question of common honesty in the matter of giving a man what he has earned.

It is admitted by every one in this country that the Deputy Magistrate and Subordinate Judges are a most valuable help to the Executive and Judicial Services. They take nearly all the drudgery of the Service. The Deputy Magistrates are, as a rule, in independent charge of Sub-divisions. Why, therefore, should officers doing useful work be compensated with a pension which to-day may be worth two shillings and to-morrow be worth one ; why, in other words, should they be paid in Bazaar produce. Surely the labourer is worthy of his hire. But to take up the "poor ryot" question : where would that ryot have been to-day if it had not been for the heroism of many of the men whose sons got appointments, and very rightly so, for the good service done in the dark and evil days, when European officers held district after district against fearful odds. The old generation has passed away : some of them starving at home by the fact of their income being lessened day by day by the reduction in exchange, but it cannot be forgotten from what class of men the present European Uncovenanted Civilians have sprung ; they are, as a rule, men who have either done good service themselves, or whose fathers have done good service to the Empire,—have, in fact, helped to keep and establish it. They have helped to make the "poor ryot" the prosperous ryot, the man that is better off than any peasantry in the world. They are the men largely instrumental in bringing justice to his door. The ryot himself would be very sorry to see the zemindar's Dewan or Naib substituted for the European Sub-divisional Officer, and the whole argument about the poor Indian ryot, which influences many a vote in the House of Commons, falls to the ground when viewed by men who live and work in the country as we do. It is a question of paying men fixed pensions, or paying them in Bazaar produce, which the rupee is now.

EDITOR.

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## ART XI.—AN INTRODUCTION TO THE STUDY OF HINDUISM.

### *I.—Hinduism not a religious organization.*

THE popular notion regarding Hinduism is that it is a religious organization, and essentially polytheistic in its character, that is, in other words, that to be a Hindu and to remain a Hindu, a man must subscribe to certain articles of religious beliefs, common to all Hindus, must acknowledge the authority of some books (Vedas and Shastras) and the supremacy of certain interpreters thereof. According to this popular notion, very generally accepted as correct without examination of the grounds thereof, the Hindu is an idolator, and no one who does not worship the myriads of Hindu gods and goddesses, 33 crores in number, is not, and cannot be a Hindu. To a superficial observer the Hindu rises from bed, eats and sleeps, nay is born, marries and dies with religious rites, and it would almost be rank heresy to say that Hinduism is not a religious organization. Yet nothing can be more erroneous than the popular notion on the subject. Hinduism is not, and has never been a religious organization. It is a pure social system insisting on those who are Hindus, the observance of certain social forms, and not the profession of particular religious beliefs. It has not even a religious creed or a common set of beliefs, nor has it for its guide a particular book, though popularly the Vedas and Shastras are credited with being the books of the Hindus. So far as religious beliefs are concerned, Hinduism embraces within its fold all phases of belief and even of unbeliefs, from the extreme agnosticism of the Nastics and Charbaks to the popular polytheistic creed of the believers of the myriads of Hindu gods and goddesses. The Hindu Shastras are, to use a Hindu metaphor, a vast ocean which, so far as religion is concerned, the votary, like the Hindu gods of old, has only to churn to find the nectar of truth, which is exactly suited to the light that is in him. It is perfectly optional with a Hindu to choose from any one of the different religious creeds with which the Shastras abound: he may choose to have a faith and creed if he wants a creed, or to do without one. He may be an athiest, a deist, a monotheist, or a polytheist, a believer in the Vedas or Shastras, or a sceptic as regards their authority, and his position as a Hindu cannot be questioned by any body because of his beliefs or unbeliefs so long as he conforms to social rules. This had been



the case with Hinduism in all ages, and has not been brought about by the so-called transition state we are now supposed to live in. Extreme shades of beliefs are, and have always been met with in the Hindu community, nay, even in every Hindu family. Nothing is more common than to find the deism of the Vedantas, the Vaisnavism of Chaitanya, the Sikhism of Guru Nanuk, the phallic worship of the Shaivas in the same family. The father may be a Vaisnav, the mother a Shaiva or a Shakta, the father's brother a Sikh, and the son a deist. The persecutions of *Proladh* (প্রলাদ) of the legends by his father *Hirnakashyapa*, (হিরণ্যকশ্যপ) for professing a faith differing from that of the father, makes the father even now the object of just execration of all the Hindus. They are all tolerant of each other's faith. The Hindu never quarrels with religious beliefs, and he never enquires into the religious beliefs of his neighbours. Believing as he does that *Mukti* (মুক্তি) is certain to the good and virtuous whatever his creed, he leaves the highest spiritual concerns of a man to the man himself. The *Vijmontra* (বিজমন্ত্র) forming the cardinal article of a man's faith, may not even be uttered to one's father and mother. It is a concern of the individual himself, and throughout his life remains a secret between himself and his religious teacher, (Guru) It is not even necessary for a Hindu to have a Guru (a religious teacher) if he wishes to dispense with one (and outside Bengal the family Gurn, as an institution scarcely exists) and his religious beliefs or even unbeliefs are then matters which concern him alone. It is not necessary that the Hindu should attend a church or a religious congregation, and it is certainly optional with him to attend any church or religious congregation,—church service, in the sense in which it is generally understood amongst Christians or Mahomedans, does not exist amongst the Hindus—wherever there is worship; the priest worships but does not lead the worship; believers attend, but do not know or hear the *montras* (মন্ত্র) that the priest addresses to the object of worship.

The fact that Hinduism is not a religious organization makes it the most tolerant system of all systems in the world, and makes it an essentially progressive system. Changes, transitions it has always passed through, and evolved out of them something for its own. It takes in and assimilates, it hates to imitate, but it beautifully incorporates and makes new ideas its own by going onward with the impetus generated by these shocks. The earliest known shock of the kind was that imparted by the Buddhists. It was a revolution against the Hinduism of the day, and it brought in new ideas to the spiritual interests of mankind and the prevailing social system in India. It made a progress which has not been achieved

by any other new religious system in India, but it died out, not as is popularly believed, because of Brahminical persecutions, not because Budhists were bodily expelled from India by force by a *Shunker Acharya*, শঙ্কর আচার্য but because the Hindu philosophy had then incorporated with it all that it had to learn from the Budhists, and because at that stage, so far as the social organization was concerned the Indian Budhists chose to get themselves re-admitted in the Hindu social system. The same has been the case with Jainism, Sikhism, Vaisnavism and the Monotheism of Kabir. The Hindus have incorporated within their system such of the ideas as each of these new religious systems had to impart, and as suited themselves to the genius of the Hindu races and the surrounding circumstances of their position (these are important conditions) and finished off the antagonists by calling them *Apna*, (অপন) their own. Take for instance, the case of Jainism, the oldest of the last mentioned systems. It is essentially un-Hindu. As a religious system it discards the Vedas and Shastras and does not acknowledge the supremacy of the Brahmins. Even now an orthodox Hindu considers it a sin to visit a temple of *Pareshnath*, (পরেশনাথ). The Brahmins at one time taught, when Jainism assumed an uncompromising attitude, "better to be trampled under foot by a mad elephant than to enter a Jain temple for protection," and the Brahmins of the Hindus still keep themselves aloof from all sorts of social intercourse with the Jain priests. The remnants of the Jains in India are of the Vaisya caste and, as in social matters, the Jains of the day have forgotten or given up their hostile and unyielding attitude of the past and do not object to the Hindu rituals as regards marriage, the Vaisya Jains fully intermarry and otherwise intermix socially with the Vaisyas of Hindu persuasions. Take again the case of the Sikhs. They have been ever deemed by the Hindus as Hindus. Runjit Sinha, is taken by all the Hindus to have been the last of the great Hindu princes, and it was currently reported that Dhullip Sinha would be welcome back to India as a Sikh and Hindu. The *animus revertendi* to Hinduism is all that is required of a man originally a Hindu, and for those who did not originally belong to the Hindu stock, all that is required is the observance of the current Hindu rites. We have not to go far in illustration of our position. Not to refer to the Maimon of the Bombay Presidency, whose position oscillates between Mahomedanism and Hinduism, and whose position it was proposed to determine by an Act of the Supreme Legislature, we may mention the various hill tribes who have joined Hinduism almost within the memory of man. We have said that for one who did not originally belong to the Hindu stock, all that is

required is the observance of the current Hindu rites. We use the word current studiously. We will show hereafter how the rites themselves change with the changes of times. It is not, again, that the new convert as a rule is relegated to the lower stratum of Hindu society. Instances prevail in which, according to the exigencies of the case, the position that has been assigned to the convert has been very high. Witness for instance the position of the *Gyals*, (ग्याल्) of Gya, originally Buddhistic priests, the Sakaldipi (Singalese) Brahmins, and the Vaisnava Gosains, some of whom in Bengal belong to the *Vidya*, (বৈদ্য), (medical caste). Its power of assimilation physical and moral gives Hinduism a lease of life which has been the wonder of the world in the past, and which will be its wonder for all time to come unless it correctly understands the Hindu system. That system is essentially an eclectic system, so far as religious beliefs are concerned, and, as we intend to show in a subsequent part of this discussion, in all social matters also. The instances cited above illustrate, we hope, in a marked degree, the position with which we set out, that Hinduism is not a religious organization. The Jains, Sikhs, Vaisnavas, Kaberpanthis, are to all intents and purposes Hindus, though the religious creed of each and all, specially that of the Jains and Sikhs, are essentially un-Vedic in origin, and the professors of these religions, though recognised by the other Hindus as Hindus, do not believe in the authority of the Vedas and Shastras, do not worship the Hindu gods and goddesses, nor acknowledge the supremacy of the Brahmins. If, then, Hinduism is not a religious organization, and the Hindu has the option of choosing for his faith anything from the extreme point of unbelief to belief in a myriad of gods and goddesses, discarding Vedas, Shastras and Brahminical supremacy, what then is it? We will answer the question in the next part of the article.

## II.—What is Hinduism?

What is Hinduism? The reply is, that what the Hindus or the major portion of them in a Hindu community do is Hinduism. This may appear to be a truism, but it is a truism, the truth of which ought however to be enforced. People, both within and without, discuss the subject as if Hinduism was locked up in some sacred books. The Vedas, the Shastras, the Smrities are regarded as books furnishing guides for the conduct of a Hindu's life, and researches are made in the Vedas, and Shastras to understand what Hinduism is. Yet it is a fact, and a fact which cannot be gainsaid, that Hinduism of the Vedas, nay, of the Shastras, is not the Hinduism of the present day. To even the most superficial reader of the Vedas and Shastras it will appear, that changes in almost all the departments of the

Hindu's life have been going on from age to age. It is not the scope of this paper to enumerate all these changes, but simply for the illustration of the definition of Hinduism given above, to indicate that such changes have taken place and even now are taking place. What the Hindus in a Hindu community did, when recorded, became the Vedas of old ; what they did at a later age became, when recorded, the Hinduism of the Shastras, and the Shastras that will record the changes of the present day, when these changes we see around us are accepted as accomplished facts, will be the Hinduism of the day. The Shastrakar (compiler) of the Shastras of our future, will perhaps, when justifying the departure from the Shastras of the mediæval ages, and from practices then only existing in the memory of man, appeal to some text of the Veda or of Manu as a sanction for such departure, perhaps twist the grammatical construction, and interpret a synonym in the light of his own views. Like *Jimut-Vahana* (জিমুত বাহন) of old and revered memory, he will possibly disclaim all opposing views as monstrous and un-Hindu. In this, as we suppose in all social systems, practice precedes theories and codes, and practice is accepted as an accomplished fact when it is carried on by the majority, and very shortly after as part and parcel of the system when it becomes the universal practice. We shall illustrate this by giving a few instances within our own memory. Thirty years ago a Hindu of Bengal (perhaps, of Calcutta excepted) would not be a Hindu, if he were to use onions as a condiment to his dishes, or to take a loaf, or a piece of biscuit ; now onions, loaves, and biscuits are no longer prohibited articles of food in many parts of Bengal. Butcher's meat is another instance of departure. No one now regards the practice of taking butcher's meat as un-Hindu, though many people in Bengal yet scruple to use meat from a butcher's stall. The use of butcher's meat has never been considered un-Hindu in Behar and the other Provinces. Fowls and chickens may be yet regarded as prohibited articles of food in Bengal, but the strong minority who now enjoy dishes of fowl cutlets, soups, roasts and curries are gaining ground, and will soon become the strong majority, and fowls and chickens will ten years hence, if not in five, come to be Hindu articles of food in Bengal. The Bengali Shastrakar will not have much difficulty in justifying the departure here, as fowls and chickens are not prohibited articles of food in that country of the Hindus, the Maharastra. The caste system even now overlooks taking food cooked by people of an inferior caste or with them, or even with Mlechas or Mahomedans. So you can do several things now admittedly un-Hindu without let or

hindrance, so long as you do not obtrude your un-Hindu practices ostentatiously to the notice of the community you live in. Changes are thus daily growing, and when the changes suit the genius of the people, they take root and become parts and parcels of Hinduism. This is not simply in matters of articles of food, but in everything around us. Only the stereotyped character, which for good or evil, the Smrities, or that portion of it which is known as the Hindu law in our Courts, has received, by the advent of British government in this country, is calculated to maintain it where it was. The changes in the Smrities themselves, a complete record of which can be easily marked in the controversial portion of the learned codes of Hindu laws, serve to illustrate the position taken above to a very great extent. Take for instance the change, the reform under which the Brahmins came to be subjected to the jurisdiction of the King's Courts, or the Ilbert Reform in the laws of Ancient India. The text of Goutoma provided 'that "the king is superior to all except Brahmins." The Mitakshara says: "that from the text of Goutoma it must not be inferred that Brahmins are exempted from amercement, for the text is intended for the purpose of generally extolling the Brahminical tribe. It is ordained in the Sutra, "six things are to be avoided by the king" (acting with respect to Brahmins), "the punishment of flagellation, of imprisonment, of amercement, of banishment, of reprimand and of expulsion." The author of Mitakshara naively says: "the mere order of priesthood is "not sufficient to exempt. That the Brahmins in the text "mean persons eminently learned, skilled in worldly affairs, "in the Vedas and Vedangas, intuitively wise, well stored "with tradition and historical wisdom, continually revolving "these subjects in his mind, conforming to them in practice, "instructed in the forty-eight ceremonies, devoted to the "observance of three-fold and six-fold duties, and versed in "legal usages and established rules," or, in other words, such persons from whom the commission of an offence or a wrong, or the infraction of a right was impossible. Thus between the age of Goutoma and that of Vijaneshara a great change, affecting the privileges of a special class, must have been slowly and gradually effected, and the Hinduism which Goutoma observed and recorded as rules for the guidance of Hindu kings as regards Brahminical privileges, was not the Hinduism which Vijaneshara found extant in his days and justified in his learned disquisition.

Another reform in the Hindu law effected during that period, traces of which are clearly discernible in the disquisition of Vijaneshara, was almost in the same direction—the encroachment on Brahminical privileges as it existed of old. The

ancient doctrine was that the *Sabha sada* सभासद (assessors) of the King's Courts were to be Brahmins. The text was "a king who investigates together with the chief judge, ministers, domestic priests and assessors at the Court according to laws, shall attain paradise;" another text enjoined that the persons appointed as assessors (*Sabha sads*) were to be "versed in literature (*i. e.*) in the study of philosophy, grammar, &c., and in comprehending the Vedas, acquainted with the laws (*i. e.*) familiar with the sacred code of laws, addicted to truth (*i. e.*) prone to habitual veracity, impartial towards friends and foes, that is, divested of enmity, affection, partiality and prejudice." The earlier commentor, Catyana, reads the text "persons versed in literature, &c," setting forth the qualifications of persons to be confined to the Brahminical tribe, but the author of Mitakshara commenting on the first of these texts remarks, that the use of the conjunction 'and,' between the words 'priest' and 'assessors,' evidently propounds a distinction between Brahmins, (priests) and assessors. The author, as an additional argument for the interpretation he adopts, says, that for the sake of adding popular confidence to the assembly (King's Council) some persons of the commercial class should also be called in to assist. But the most important change in this direction was with reference to the appointment of Chief Judge (Pradivak) the text expressly enjoined the appointment of a Brahmin. It says, "A Brahmin acquainted with all duties should be appointed and associated with the assessors, by a king who is unable, through want of leisure, to investigate judicial proceedings;" the author of Mitakshara observes that, if such a Brahmin cannot be found the king may appoint a *Khatrya* (क्षत्री) or *Vaisya* (वैश्य). It is singular how a turn in the grammatical construction of a text, which however was deemed sacred and unalterable, did duty for a change in the law, but no grammarians ever thought of giving this turn, until he saw that the changed interpretation was necessitated by the changes which he saw all around. Between the age of Catyana and the age of Vijaneshara, the author of Mitakshara, said to have been the contemporary of Sankara Acharjia, who is generally credited with the expulsion of Budhists from India, several centuries had elapsed, and India had witnessed a stupendous revolution, and Hinduism of the day of Catyana, not in this respect alone, for which we have proofs, but in several other respects, for which the proofs and records are not so clear, was not the Hinduism of the date of Mitakshara. We will see how the changes were brought about. There were no Legislative Councils in Ancient India, and no one in authority who could make or unmake laws. The current theory that Brahmins were lawgivers of

the land, does not find any support from the record of the Hindu laws. Even the authors of the codes appeal to the past and the text writers of the past, for the sanction of what they do enjoin. Their only authority is derived from the correctness with which they interpret the present in the light of the past. Anything that would not accord with the existing facts would, we suppose, carry as much weight with Hindus of their days as the *Nava Sanhita* of the late Babu Keshub Chandra Sen does with the Hindus of the present day. The growth of Hindu laws was something like the growth of the common laws in England, with this difference, that the Hindu laws did comprise a greater variety of subjects affecting the ordinary daily life of a Hindu than the common laws of England did with respect to Englishmen. Both have their origin in the growth of usages, their recognition in courts of law, or, as in the case of Hindus, in the assemblies of tribes, and their final codification by learned men; but, as in India the codifiers (at least the authors of extant treatises) happened to be Brahmins, it is generally assumed that Brahmins were the legislators of the land. Hindu laws, therefore, are Hindu usages codified. Usages again originated in the doings of the Hindus, and when a new usage sprung up to take the place of the old, we may be sure that at the start some one had the boldness to break through the barrier of an established usage, and was branded as the breaker of the laws, until the change he adopted, or sought to introduce, was generally accepted, and it took the place of the established usage. Take for instance, again, the changes that took place between the age of Vijaneshara and the age of Jimut Vahana. In Bengal the joint family system had received a rude shock; and it was no longer the patriarchal system of old that prevailed, but the first splitting of families into individual units. Jimut Vahana in his time finds the change accomplished, and establishes the changes as laws, by refusing Metakshara, and appealing to the past and the text writers of the past; and, as an additional argument, establishes the doctrine of *factum valet*. This doctrine of *factum valet* prevails throughout India; if not in what are ordinarily called the schools of laws, but in every other department of a Hindu's life. The flexibility of this beautiful doctrine enables the Hindu to alter his manners, his customs, his laws, nay, even his religion to the altered spirit of the age in which he lives. Their surroundings, their education, their circumstances, the infusion of new ideas have always influenced the doings of the Hindus, and the Hinduism of every period. The Bengal Brahmins, even of the age of Ballal Sen, appear to have been as unlike their original stock at Kanouj, as Mr. Banerji returned from

England is from the ordinary Bengali Brahmins of the present date, yet the Kanouj Brahmins never question the Brahminical rank of their caste men in Bengal ; both are Hindus, but the Hinduism of the Kanouj Brahmins is not the Hinduism of the Brahmins of Bengal ; and this brings us to our definition of Hinduism once again.

This definition which we have tried to show, accords with established facts in Hindu laws, is that *what the Hindus, or the major portion of them in a Hindu community do, is Hinduism*. A few words of explanation seem necessary. It is not Hinduism now to go England, because the few Hindus who go to England are kept out of caste ; but supposing in a Hindu community, the Hindus could go to England without losing caste, or supposing even, a strong majority of that community would allow a Hindu who had been to England, to be again admitted into caste, going to England would be no longer an un-Hindu practice, so far as that community is concerned. A Hindu whatever may be the transgressions from Hindu manners he may be guilty of, remains a Hindu so long as he does not lose caste. If he has a Dal (party), in the community he lives, he is a Hindu to all intents and purposes. This community is not the whole body of Hindus, nor all the people of his caste, but a small village circle of people consisting, amongst the higher classes of Brahmins, Vaidyas and Kayastas in Bengal. This small circle, which usually consists of 300 or 400 families interspersed in two or three neighbouring villages, is called a *Somaj*, and the people *Somajiks*. In marriages and *shraddhs*, for those who can afford these are the guests who have to be entertained. If in case of any transgressions from caste rules, the *Somajiks* do not find any fault with the transgressor, the latter does not lose caste ; if some of the *Somajiks* have their scruples, but others have not, they divide themselves into parties called *dals* or *Daladols*. Nothing is commoner than to find in many villages in Bengal, the *Somajiks* split into different factions (*dals*) over a transgression from an established usage of which some in the *Somaj* had been guilty, until the question is finally decided by numbers. If the dal (party) of the breaker of established usage is strong, the change is as good as accomplished, the contending factions uniting again in time. There are in the same *Somaj*, or in the same body of *Somajiks*, nay, even in the same families, men of different views—Conservatives, Liberals, and Radicals. The too latter at the present day are the product of English education and the onward influences around. Toleration is the order of the day, and the Conservatives, however they may lament the good old days, cannot help being tolerant, because of the prevalence of liberal ideas, even amongst the younger generation of their own families, or because, as in



many cases, when education has made progress and placed the Liberals in any number in commanding positions, they have to give way to the inevitable.

Much shrewdness, intelligence and tact are required of a leader of a dal (party), and as reformation to permeate the masses must begin here, in these units of Hindu communities, a practical reformer can safely carry out many desired reforms by correctly feeling the pulse of his *Somajiks*. The wise politicians feel the pulse of the nation, the social reformer in Bengal, if he is practical, should feel the pulse of the *Somajiks*. Many a reformer in India have spoiled the cause they advocated, by striving to carry out reforms for which the *Somajiks* were not prepared ; by, in fact, giving too much speed to their Radical coach. Many a reformer—and in India reformers are not reformers, if they are not religious reformers,—have unfortunately marred the cause of reform by treating social reforms as if they were religious reforms. The popular notion is that Hinduism is a complex system, where social usages cannot be separated from religious beliefs. Our reformers cannot rise above this popular notion. They would not separate the domain of beliefs in the supernatural and metaphysical from the every day common life of man. To them social reforms are not questions of expediency, but cases of conscience. It would be a sin, they say, that knowing early marriages to be mischievous, or, as they call it, wrong, you were to get your children married at an early age. It would be rank hypocrisy, they say, that, believing in the equality of men, and knowing that the caste system as it prevails, is not the right thing in all its phases, you were still to be within the pale of caste and not to give it a kick. It would be the height of dissimulation, they say, that not believing or caring for the 33 crores of Hindu gods and goddesses, you were still to pass off as a Hindu. Your life would be a life of contradictions, they say, that if while dining on fowl cutlets and mutton chops of an evening, you would sit to supper with your caste men at night at *Pungti Bhojan* পক্তিভোজ The Liberal Indian pleads guilty to no such charge. In social matters, he believes that what is expedient is right. It would not be right or expedient in his opinion to wage a hopeless war. It would not be expedient to thrust reforms all at once into the old Hindu systems. The wholesale reform of the Brahmo Somaj is too much for the Hindus, and the result has been that the Brahmoes have to form themselves into a separate community. If these earnest workers had but contented themselves to work from within instead of spending their earnestness in uselessly trying to demolish the citadel of prejudices from without, what further changes might not have come on by this time.

The true Liberal Indian on the contrary would, for good or evil, stick to the Hindu system, and fight out the cause of reform from within. He knows, or tries to know, how far education has prepared his *Somajiks* for a desired reform, how far the onward influences have been acting on them, and tentatively introduces, or tries to introduce it in the community he lives. There is a struggle nevertheless, but it is the fight of parties, the *daladals* दलदल of the *Somajiks*, and not a fight where the reformer has to go out of the field fearless and undaunted no doubt, but nevertheless without achieving a victory. To the cautious general, the victory is certain. The educated natives are now, in many parts of the country, the leaders of the *Somajiks*, and the spread of education gives them a large and larger share of influence year by year. They are not true to their colors, if knowing or believing that the country is prepared for a reform, they do not give an onward pull. They have no need for preaching and for preachers. Their only agency is the educational movement in the country. The reforms thus introduced are introduced with the consensus of the people. They take root and permeate the social fabric as a whole, and very soon become parts and parcels of the Hinduism of the time. In the next paper we will examine what reforms have been already introduced, and what further progress in these directions are possible.

(To be continued.)

GURU PROSHAD SEN.

## ART. XII.—THE DOOM OF TURKEY.\*

**I**N the period known to European students of history as the Dark Ages, religion was the dominant factor in politics, the object of the conflicts of the nations, and the principle which actuated the perpetual rivalry between the peoples of Europe and of Asia, the empires of the West and of the East. The Pope was acknowledged as the arbiter of international disputes by the Sovereigns of Europe, and the Khalifa was saluted as Spiritual Head by all the various races that had embraced Islam. Religion precipitated the Arab swarms upon the Christian provinces of the Roman Empire, and impelled the crusading hosts to the recovery of the Holy Land of Palestine from the hands of misbelievers. The question whether the succession to a European crown should devolve on a Catholic or a Protestant, or a Mediterranean island fortress hoist the banner of the crescent or of the cross upon its towers, occupied the energies and stirred the sympathies of the whole civilized or semi-civilized world.

Among Christian nations this motive for political movement has now ceased to be. Except for a few fanatics who believe in the restoration of the Temporal Power, and for the most ignorant sections of society, such as the peasantry in Russia and in Ireland, and the Mormons in America, religion has ceased to be a power in political life. The battle-field of polemics is now happily restricted to the next world. The diffusion of education, the reform of Christianity, and the spread of Rationalism have all had a share in this desirable revolution. Among civilized nations, dynastic ambitions and race antipathies, commercial and colonial rivalries, still disturb peace and foment discord; but religious fanaticism no longer adds fuel to the flames.

But in the East the Moslem world has not shared in the emancipation of politics from the thralldom of religious ideas. "Al Mîlk w'ad Dîn Tawámán" says the Arabic proverb; "The State and the Church are twins." The theocratic idea still pervades the polity of Islam. Power is regarded as divine and earthly rulers are only the delegates of the All-Powerful. The government of the universe by Allah is an autocratic model, to be reproduced as faithfully as human

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\* Turkey : by Stanley Lane-Poole, assisted by J. W. Gibb and Arthur Gilman. London. T. Fisher Unwin, 26, Paternoster Square. New York : G. P. Putnam's Sons. 1888.

imperfections will allow, in the governments of the earth. The world is sharply divided into two parts: Dar ul Islam, peopled by those who have submitted to God: and Dar ul Harb, the Land of War, peopled by rebels against Him, and contemners of His authority. Religion, among Musalman statesmen, still holds the place occupied in others by patriotism or ambition. The Dervishes set out from the Soudan to face British bullets and bayonets on the frontiers of Egypt, with the serious intention of converting the whole world to the true Faith.

Hence arises the most difficult political problem of the present day, usually called "The Eastern Question:" which is in fact, the disintegration of the political system of the Musalman world under the increasing pressure of Western and European civilization. The familiar phrase is generally applied to the political state of things arising out of the gradual dissolution of the Turkish Empire in Europe; but it is evident that the same state of affairs exists everywhere the countries of Islam are brought into contact with European Powers. England in India; France in North Africa; Russia in Central Asia are all quietly but persistently, by their civilizing influences, sapping the temporal power of Islam, and abrogating the political influence of the great religion which has for more than a thousand years governed the political ideas of so large a proportion of the human race, and influenced the destinies of so great a portion of the surface of our globe. An epitome of this great question is, indeed, to be found in the relations of the greatest and acknowledged chief state of the Muhammadan world with the civilized Powers of Europe. The historian Von Ranke in his work on Bosnia written half a century ago, clearly indicated the cause of the existence of the Eastern Question. He wrote:—

"If we enquire into the causes of the internal decline of the Turkish Empire, and regard them under their most general manifestation, we must affirm that it is owing to the fact, that the Empire is opposed to another section of the world immeasurably superior to itself in power. That other section could crush it to atoms in a moment; and while suffering it to exist for reasons of its own, yet, by a secret necessity, it exerts upon it an indirect and irresistible influence."

This influence has, in our own day, made the Turkish Court an arena for the political contests of rival European Powers, and of the Sultan's supremacy, a stalking horse for use in the squabbles of political parties in the English Parliament. It has invested the fortunes of Turkey in the eyes of Englishmen with an interest that they never possessed when the Ottomans were at the zenith of their power; when they perennially menaced the peace of Europe, when Turkish armies appeared on the frontiers of Germany, and Turkish pirates cruised in the English Channel.

The book before us is the thirteenth volume of the series called "The Story of the Nations," published by Messrs. Fisher Unwin. It is a rough sketch of the history of the Ottoman Turks for the six hundred years that they have had a national existence, written with the ability and lucidity to be expected from the author, and containing separate chapters on Ottoman literature and Ottoman administration. It is the best book on the subject that has appeared in England since Knolles completed his picturesque and voluminous account of the Wars of the Ottomans down to his own time in the reign of King Charles the First. Prince Cantemir's History, translated into English in the reign of King George the First, can only be relied upon as far as the writer was an eye-witness of the events which he describes: the early part of the history is both imperfect and incorrect. Sir Edward Creasy's History of the Ottoman Turks, taken from the materials of Von Hammer, is mainly correct in details; but the writer utterly failed to grasp the spirit of the Turkish nation, or to apprehend the springs of action which governed its political movements. He was one of many Englishmen who fondly imagined, that the introduction of the physical and mechanical forms of civilization was all that was required to place the Turks on a level with the foremost European nations, and his complacent prophecies of the regeneration of Turkey as an enlightened and progressive nation, forming an insuperable barrier to the baffled ambition of Russia, look absurd enough by the light of recent events. Lord Palmerston who stoutly maintained the principle of the integrity of the Ottoman Empire from motives of policy, formed a juster estimate of the capacity of the Turks when he exclaimed, "What can you expect from a people that always go about with their shoes down at heel?"

The first ten chapters of Stanley Lane-Poole's book are occupied by the account of the romantic and wonderful rise of the Ottoman nation and power under the reigns of the first ten Sultans of the House of Othman, till the culmination of their glories in the person of Suliman the Magnificent, called by the Turks, Sahib Keran, or Lord of the Age, a title used to distinguish world-sovereigns like Alexander and Timur. The Imperial House of Othman is a rare instance of the long duration of an Oriental dynasty, usually so short lived. It has descended in the male line in unbroken succession from Kará Othman, the son of Ertsgrul, through thirty-three reigns and twenty-one generations, to His Majesty Abdul Hamíd Khan the Second, the present Sultan and the thirty-fourth of his illustrious line. The attachment of the Ottoman Turks to the family of the founder of their nation, has had much to do with the unusual stability of their dominion; and it is

probable that the Empire would have shared in the fate of the dynasty, when the latter was perilously near extinction in the person of the infant Mahmud the Second, who was the sole survivor of his family for many years at the commencement of the present century. In fact the fortunes of the nation have followed those of the dynasty in a remarkable manner. It is now just six hundred years since Othman first founded the Turkish sovereignty in Bithynia: and this period of six centuries may be roughly divided into three epochs of almost equal length, during which the Ottoman Power was growing, stationary, and declining. In two hundred years or little more, from the capture of Brussa by Othman Khan in A. D. 1326, until the death of the great Sultan Sulimán at the siege of Sigeth in A. D. 1566, the Turkish dominions had spread from a petty district in Analolia over a great part of three continents; from Baghdad in the East to Buda in the West; and from the steppes of the Ukraine to the deserts of Libya. The Black Sea was a Turkish lake, and Turkish corsairs made their lair in Sallee on the shores of the Atlantic. From the death of Stlíman to the siege of Vienna by the grand Vazir Kará Mustafá in 1673, the Turks had only increased their possessions by the conquest of Cyprus and Crete from the Venetians, and a few fortresses and frontier towns from the Germans and Poles: and in the year 1699, after a disastrous war which had lasted sixteen years, they, for the first time, had to yield ground to their Christian foes, giving up Hungary and Transylvania to Austria; Dalmatia to Venice; Podolia and Kaminiec to Poland, and Azoph to Russia. From that time the decline has been steady, and the Sultan has, bit by bit, lost nearly all his territories both in Europe and in Africa and some in Asia, and is still threatened with the loss of more. It is difficult to account for the sudden and abrupt cessation of the rapid and continuous march of Turkish conquest, but it undoubtedly curiously coincided with the equally sudden and complete change in the character of their monarchs. With the single exception of Sultan Báyázid the Second, deposed by his son Selim the Grim, the first ten Sultans were all strong rulers and brave soldiers, who habitually led their armies to the field, and presided in the Council of their Vazirs. The last twenty-four, with the exception of the drunken tyrant Murad the Terrible, and the reformer Mahmud the Second, were feeble as sovereigns and insignificant as men. Four of them only shewed their incapacity in the field, and it is now very nearly two hundred years since a Turkish Sultan has faced an enemy. Nine out of the twenty-four were deposed by their mutinous troops or rebellious subjects, and six out of these nine were murdered.

Some writers attribute the change in the character of the Ottoman sovereigns to a change in the method of educating them. The young Princes were at first brought up in the camps among the soldiery, and were invested with the government of provinces: and as too often happens in an Oriental monarchy, the doubtful succession was decided by a civil war, or at best by a military pronunciamiento. To obviate these evils the royal Princes from the time of Selim the Second, surnamed the Sot, were brought up in the seclusion of the seraglio, as they still are; and they have amply justified the expectations that might have been formed of such an education. Moreover, the civil conflicts between rival brothers were now succeeded by hideous wholesale butcheries in the haram on every fresh accession: and our author's admission that nineteen of the hundred and two children of Sultan Murad the Third were put to death on the accession of their brother Muhammad the Third, must surely be a printer's error for ninety.

Another reason of the decline of the Ottoman Power was the decay and corruption of the efficient military organization which may be said to have been the principal agent in its first signal success and rapid aggrandisement. The foundation of Ottoman greatness was laid, and its stability ensured by the standing army raised and organized by Sultan Orkhan, the son of Othman, and his devoted brother and able Vazir, Ala-ud-Din.

The cavalry were divided into squadrons, and the infantry into companies. They had a regular and sufficient establishment of officers, promoted by seniority, and sometimes by selection: they wore a distinguishing dress, received pay and rations from the Sultan, and were lodged in barracks when not under canvas. They were not allowed to marry. They formed a solid nucleus for the rest of the nation in arms, and a firm support to the monarchy, with which their own existence was bound up. Nothing like the Ottoman military system has ever existed in any other Asiatic nation. The Suffavi Shahs of Persia attempted to imitate it without success. It was afterwards closely copied in the standing armies of Europe. It is surprising that our author should not have added a separate chapter on the Turkish army to his work, since he has given us one upon the Ottoman civil administration, which was a matter of quite secondary importance. The Ottoman nation was then what Germany has become in our own time,—a nation in arms. Every Turk was a soldier, and served in an army of which the Sultan was *ex officio* Commander-in-Chief.

The whole land of the Empire was divided into Sanjaks (standards) which again were sub-divided into estates or

fiefs, large ones called Ziamats, and smaller ones, supporting a single yeoman, called Timars. The Sanjak Beg commanded a squadron composed of all the fief-holders in his district, who found their own horses and arms. The Begler Beg, or General of the Province, kept an office in which were the registers of all the Sanjaks and their fiefs. This system produced an enormous force of cavalry which formed the bulk of the Ottoman army. They received no pay, holding their land on condition of serving in the wars for six months in each year. There were besides the Akinji, horsemen who had no land, and who served for plunder only. Then there were the paid troops; six regiments of cavalry, mostly Turks; and the infantry (Janissaries), artillery and ordnance corps (Topjis and Jabajis) and Lavands or marines. These were originally Christian captives or conscripts converted to Islam when boys, and trained to strict discipline and martial exercises. The refuse of the nation served as irregular infantry (Azab) or as pioneers or miners; the Turkish military muster-rolls of the time of Sultan Muhammed the conqueror of Constantinople are incomplete, but from what remains of them, we might estimate the whole force, putting it at the lowest figure, as amounting to one hundred and twenty thousand men, of whom thirty thousand were regular troops. In the reign of Sultan Muhammed the Fourth, at the time of the last siege of Vienna, the regular troops alone are shewn by their muster-rolls at the figure of ninety-two thousand men, of whom seventy thousand were Janissaries (infantry).

This powerful standing army, as so often has happened with Pretorian bands in the East, like the Turkish guards of the Abbaside Khalifs, the Mamelukes in Egypt and others, took the reins into its own hands, deposed and set up the Sultans, murdered Ministers who had made themselves obnoxious by severity or economy, and replaced them by others who were more likely to truckle to its turbulence, and to pander to its avarice. From the time of the death of the great Sultan Suliman to the beginning of the present century, it dominates the politics of the Porte and fills the stage of the Ottoman Empire. Gradually losing its martial character, it at last became more of a political than a military institution, and it was not finally suppressed until it had brought the Empire to the verge of ruin. The Sultans had, like Frankenstein, raised a power which they could not control, and the formidable army, which was the chief instrument of Ottoman ascendancy, became, with its discipline decayed and its license unchecked, the principal obstacle to the reform of the institutions which it had ceased to support or to defend.

It is certainly remarkable how completely the Ottoman



nation has, in the present day, departed from its ancient military traditions and lost its old martial spirit. From the time of the great Suliman to the present day, it would be difficult to point to a single Turkish Commander who might be classed even as a respectable tactician or strategist. Ghazi Hasan is the only one we can think of; and his excellence principally consisted in a thorough knowledge of the quality of his own troops, and how to get the most out of them. In former days the Turks only pride was in arms and valour: now, from the Sultan downwards, the whole nation is not only ignorant of, but absolutely indifferent to military matters. The long course of defeats and humiliations which, for two centuries they have suffered at the hands of the Christian Powers, have perhaps disgusted them with war, and led them to exclaim, as Sultan Mustafa's men did after his defeat by Prince Eugene at Zenta, that "Allah Himself fights on the side of the Giaurs."

A third cause of the check to the advance of Turkish conquest and the expansion of the Empire, seems to have been the cessation of the growth of the population. We find, as the career of Turkish conquest progresses, the Turks at first advance along with it: when Bulgaria and Servia and Hungary and Greece are conquered, the lands are parcelled out among the Sipahis of the victorious armies, and Turkish garrisons colonise the towns. But when the Vazir Ahmad Kuprili conquered and annexed the districts of Neuhausel and Varasdin from Austria in the seventeenth century, there were no Turks to colonise them. The tide had turned. The unnaturally rapid expansion of the national force had already reached its utmost limits, and the Turkish population now seems to be accompanying the decline of the State. Lamartine said fifty years ago, that the Turkish Empire was perishing for want of Turks. Some writers have attributed the decrease of population to the bad government which causes a large proportion of the soil to be left untilled: others to the baneful influence of polygamy which fills the harems of the rich with the slaves of pleasure, and leaves the poorer classes without wives. This evil was not felt as long as an abundant supply of women was kept up by Christian prisoners taken in war. We read of a hundred thousand women being swept up from Hungary and the adjacent provinces in a single campaign. The Tartars of the Crimea kept the Constantinople market supplied with "white Russian girls." The Ottoman nation was not only provided with women from the subject and neighbouring Christian nations, but was largely recruited with men. The body-guards and pages of the imperial seraglio, the Janissaries and other regular bodies of

troops, were replenished by means of levies of the finest and stoutest boys from the Slavonic, Bulgarian, Greek and Armenian subjects of the Sultan. Mr. Stanley Lane-Poole says, that "for three centuries, every year a thousand Christian children were thus devoted to the service of the Ottoman Power," but the levy was not made every year, but generally every seven years, when enough lads were collected to fill the vacancies in the corps for some time to come. These boys were kept in companies by themselves and instructed in Islam, and drafted into the ranks of the troops as required. But they all eventually became Turks, and on superannuation, married and brought up families of Turkish children. The ranks of the nation were also recruited by many other renegades: Greek and Slaves who turned Turk to share in the fortunes and spoils of the victorious conquerors, and the Christian captives of war who apostatised to escape the horrors of Turkish slavery, the chain-gang in the arsenal, or the row-bench of the galleys. Many of the most famous Turkish Commanders were from among these renegades. Jaghálázáda was the son of the Genoese Count Cicola by a captured Turkish woman, and himself taken by a Turkish cruiser, forsook his Christian country and kindred to adopt the nation and religion of his mother. The brothers Barbarossa were Greek renegades; the successful admirals Piali and Kilij Ali were Italians. It is easy to understand why so many European renegades rose to positions of command and offices of trust in the Ottoman Empire and the Barbary States, and how the brave but stupid Turk profited by the infusion of Aryan blood into the national veins.

The seraglio, or imperial palace was filled with the sons of Christians. There were five chambers of pages, the Khás Oda (royal chamber) the Khazina Oda, (treasury chamber), the Kilar Oda, (buttery chamber) and the Safar Oda (travelling chamber). Not one of the members of these four chambers was a Turk. They were all Christian boys taken in war, kidnapped by corsairs, or sent as tribute by vassal Wallachian or Georgian Princes. Our author says, descanting on the decay of Imperial Ottoman grandeur—

"The seraglio system, indeed, by its very nature could not last; all the races of the earth were not created simply to furnish slave, or toys to gratify the whims of a Grand Signior; and even if no Su'án Mahmud had abolished them, the four chambers must have passed away or been altogether changed from sheer lack of a legitimate supply of white men. The Sultans would have to recruit their ranks with members of their own race, and the moment this was done, their old boasted isolation was at an end."

It is difficult to discover the real reason for the abandonment of the tribute of boy recruits from the Christian families. It never appears to have been formally renounced, but the last time it was levied was in 1638, when the Sagbán Báshi of the

Janissaries, Dervish Agha, was executed by Sultan Murad on account of complaints made to the Sultan of the manner in which he had carried out the recruitment. The fact seems to be that the Turks themselves were so eager to enlist, that the ranks were easily filled with volunteers: but no doubt the discontinuance of the "devilish system" of Orkhan and Ala-ud-Din, deprived the Turkish nation and army of what had been a very important addition to its strength, and threw it back entirely upon its own resources. Another reason of the sudden check experienced by the Turks in their career of conquest, was the more stubborn resistance offered to them in their advance by the civilized nations of the West. They had easily overthrown the already tottering Byzantine Empire of the East, and had overrun the Southern Slavonic kingdoms after a severer struggle: but it taxed all the resources of the Ottoman Empire to force the Knights of St. John from Rhodes, and the Ottoman advance was now confronted by the fleets and armies of Spain, Venice and Germany. The mighty hosts of the great Sultan Suliman were repulsed from the ramparts of Vienna and Valetta. Even had his successors been as able as himself, and his military system been maintained intact, it is not probable that the Turks would have been enabled to effect a further lodgement in Europe.

Later on we find them engaged in incessant efforts, during a war of twenty-four years, to wrest the island of Crete from the Venetians alone, and suffering crushing defeats from the Germans and the Poles in the field in spite of the numerical superiority of their own armies. Even had the Ottoman nation retained its pristine vigour, the Turks could never had conquered Germany or France as they conquered Servia and Hungary.

But the various causes of the decline of the Ottoman power were long at work before their effects were suspected or noticed by the Turks themselves. During the whole of the sixteenth and seventeenth centuries, the Ottomans were hugging themselves in the delusion that their Empire was the greatest, and their monarch the mightiest and wealthiest in the world, and were fondly expecting the eventual conquest of Christendom. God was still on their side, and will never suffer a city or country where the Azan had been proclaimed from a Musalman mosque to fall again into the hands of unbelievers. Like the great Mogul Empire in India, to which in many respects it affords a singular parallel, the Ottoman Empire long presented an outward appearance of majesty and splendour even while it was fast hastening to decay. European nations spoke of its Sultan as the Grand Turk, the Grand Signior; while to his myriad subjects he was the Padishah

(Emperor), the Kaisar of Rûm (the Cæsar of Turkey), the legitimate successor of the Eastern Emperors, the inheritor of the World Empire of the Romans, the heir to the dignity and power of the Khalifas of I-lâm.

The East and the West were to be united under the sceptre of the house of Othmán, throned in the Imperial City of Istambol, fondly called by some Islambol, situated between the two continents and the two seas. (barein wa bahrein) like a priceless diamond of the ring of sovereignty set between two emeralds and two sapphires, as it appeared to Othmán Khán in his marvellous and prophetic dream.

And the Sultan dwelt in the halls of the Cæsars with a pomp and magnificence befitting the fame of his predecessors and the splendour of his destiny. The capacity for organization which was so strongly developed in their military system, and which so greatly distinguished the Ottoman administration from all other Oriental governments, was still more strongly marked in the establishments of the Imperial Court. Mr. Lane-Poole has given a full description of the old seraglio, as the Europeans called the Sarai or palace built upon the promontory running out into the sea between the Bosphorus on one side and the Golden Horn upon the other. Surrounded by ramparts and guarded by cannon, its vast extent comprised a city within itself. It was divided into four separate quarters, each walled off from the other and accessible only through a guarded gate. The entrance into the first and outermost of these lay through the great gateway known as the Báb-i-Humáyan, called by the Europeans the Sublime Porte, which was guarded by Janissaries. In this quarter were the palace stables and mews, public and military offices, and quarters for soldiers and servants, built round a large square or exercise ground, through which was the entrance gate to the second quarter guarded by the Bostánjis (gardeners) of the Sultan : a corps of two thousand five hundred men with a military organization, and who wore red caps and dresses. They were employed as gardeners, park rangers, and rowers of the Sultan's barge, and as guards of the imperial pavilion in the field. Their colonel was called the Bostanji Báshî : he was constantly in personal attendance on the Sultan, and steered the royal caique when His Majesty took the air on the water. In this quarter was the domed council hall where the nine ministers of the State departments met to form the Diván or State Council, and who were hence called Vizirs of the Cupola (Kubba). The Prime Minister (Vazir-i-Aázam) presided, dressed in his State robes of white satin trimmed with fur, and a tall white turban shaped like a sugar loaf, with a broad band of gold lace crossing it diagonally. The other Vazirs wore similar

turbans, and green robes trimmed with fur. Here was the treasury in which was the Tosha Khána of the Sultans, where were kept all the presents made to them by foreign sovereigns ; and here were the quarters of the palace guards ; the Khasekis, (royals), Báltajis, (halberdiers), and Zulfi Báltajis (tressed halberdiers), so called, because they had love-locks of false hair fastened inside of their caps at the temples. These were all bodies of household troops, mustering a few hundreds in each corps, and told off for special duties : the Báltajis guarded the approaches to the harem, and the tressed halberdiers acted as henchmen to the corps of royal pages. Here, also, were the Kápujis or door-keepers, under their Kápuji Bashí. They were five hundred men of the better class, sons of Pashas, Begs, and Aghas, and were employed as heralds, chamberlains, and royal messengers. They preceded the Sultan in a State procession with staves and maces, shouting the Imperial title, and warning people to clear the way. They wore scarlet gowns trimmed with fur with gilt helmets, surmounted by an enormous crest of white ostrich plumes. The third quarter was approached by the Bábas Saádat ; or Gate of Felicity ; and here dwelt the Sultan himself surrounded by his four chambers (Oda) of pages, and guarded by his body-guards, who were quite distinct from the palace-guards before mentioned. They consisted of two corps ; first the Solaks, or Sinistrals, 400 strong, organized in four companies. They were archers, and those who stood on the right of the Sultan drew their bows with the left hand : hence their peculiar name. The Paiks, or couriers were only one company of 120 men, and carried bundles of fasees with hatchets in them in imitation of the old Roman lictors. They wore gilt helmets with black plumes, while the Solaks wore similar helmets with white plumes. When the Sultan rode in State to the mosque on Friday, the Paiks preceded his horse, while the Solaks marched on each side of him in single file, their huge waving plumes almost hiding him from the sight of the multitude.

The pages were, as we mentioned above, divided into four chambers or Odas ; the royal or private chamber, in which the Sultan himself was enrolled as the first member, consisted of forty pages. The Silahdar Agha, or Master Sword Bearer, ranked the highest of these : he wore a close fitting robe of cloth of gold, and followed close behind the Sultan bearing the Imperial scymetar sheathed upon his shoulder. Other members of this chamber were the Master Vesturer, the Master of the Turban, the Chief Stirrup-holder, the Master of the Napkin, the Master of the Ewer, the Chief Turban Winder, the Chief Coffee Server, the Chief Barber.

The second chamber was that of the Treasury, headed by the

comptroller of the Privy Purse, who scattered largesse among the crowd as he followed the Sultan in State processions : other members were the Aigrette keeper, the keepers of the Plate, the Master of the Robes and others, down to the Chief Nightingale keeper and Chief Parrot keeper. The pages of the third or Buttery Chamber had charge of the service of the Sultan's table and the provision of his meals. Those of the fourth or Traveling Chamber had the care of his camp equipage and of the arrangements for his journies, and the carriage of his baggage. They also provided and maintained the musicians, dancers, and singers for the amusement of royalty ; and, as the later Sultans never went abroad, and even gave up the sports of hunting and hawking which had once formed the only relaxation of the Ottoman Princes from the fatigues of war, the duties of the fourth chamber were latterly confined entirely to this secondary branch of their business. These pages, especially the members of the first chamber, often rose to high dignity in the public service, and filled the chief offices of the State.

Thus Ali Coumourgi, immortalised by Byron in the "Siege of Corinth," as the "dauntless Vizier," was the son of a charcoal burner (Kumurji) whom the Sultan Ahmad the Third happened, during one of his rides abroad, to see playing near his father's hut. Struck by the beauty of the child, he took him from his father, and made him a page in the seraglio. He rose to be Silahdar Agha, and afterwards Grand Vazir ; and married his patron's daughter, from whence he has become known to history as Dámád Ali.

Mr. Stanley Lane-Poole says, that not one of the pages of the four chambers was a Turk : but Dámád Ali must have been an exception to the general rule, and so was Evliya Effendi, the Turkish historian, who was a page to Sultan Murad the Fourth, "the Terrible," and has given in his works some account of his experiences in the seraglio : and, very likely, there may have been many others.

Besides the pages, there were also in the third quarter the white and black eunuchs : the former numbering about 100, the latter 300. The chief eunuch or Kizlar Agha (Master of the girls) was a black, and was one of the most trusted and important officials in the seraglio. In a garden in this quarter also were secluded kiosques, where the Princes of the Ottoman blood royal were brought up under the charge of the black eunuchs, isolated from the rest of the world, and confined to the companionship of a dozen pages and as many slave-girls : and here were imprisoned the male relatives of the Sultan, whom their fortunate fate had preserved from the sword, or the bowstring of their uncles and brothers in their infancy.

The fourth and innermost quarter of the seraglio was given up entirely to the Sultan's harem. It was surrounded on all sides by lofty walls washed by the sea, and contained spacious gardens and pleasure grounds, and artificial lakes and canals. In the centre was the Sultan's own kiosque, and grouped around it were ranges of separate buildings containing the apartments for the principal ladies and their *suites*. It was inhabited by from six hundred to a thousand women and girls, who were as carefully organized, and whose duties and discipline were as minutely detailed as those of the male inhabitants of the palace. A lady called the *Kiaya Kadin* exercised the functions of Governess-General, and she was assisted by a staff of female officials, lady treasurers, lady chamberlains, and so on. The women were graded in four classes; ladies, companions, novices, and menials; and were promoted or degraded from one to the other. The companions waited upon the Sultan, and it was from them that his *Ikbâls* or concubines were chosen. A strict etiquette governed this enchanted Armida's garden of sensuality, which even its absolute lord and master did not venture to infringe.

It is impossible not to sympathize with Mr. Stanley Lane-Poole in his regrets for the departed glories of the old Ottoman Court, with all its semi-barbaric splendour, its stately pageantry, and martial finery. All these have been swept away with an unsparing hand, but the ignorance and apathy and corruption still remain: the plumed turbans and furred robes are gone, but the black eunuchs and the thousand women-slaves are there still: the *Khazânalâr Aghâ* no longer scatters coin to the dervishes of the capital, but the Sultan's privy purse still devours the money which might be expended in equipping battalions of the defenders of Islam.

Mr. Stanley Lane-Poole has passed lightly over the melancholy history of the decline of the Ottoman Power. The causes of it, as we have seen, were many and various: the change in the character of the Sultans; the corruption of the civil administration and the decay of the military organization; the decrease of the Musalman population, and the hostile pressure of a superior civilization, all combined to sink the Empire deeper and deeper into a slough of anarchy and misery. The Russians and Austrians continually assailed the frontiers and annexed the outlying provinces: the Greek and Servian Rayahs struggled incessantly to throw off the Musalman yoke, the provincial Pashas rebelled to escape the extortions of the ministry, the ministers sold the public offices to recoup themselves the money which had purchased their posts, the Janissaries plundered the treasury to forestall the speculation of their pay. Province after province was lost to the

empire. Hungary, Transylvania, Dalmatia, Montenegro, the Crimea, Kabarda, Bessarabia, went in the eighteenth century. Egypt, Greece, Servia, Roumania, and Bulgaria have followed suit. The process of disintegration is now being renewed in Crete and Armenia. Mr. Stanley Lane-Poole furnishes a clever diagram of the rise and fall of the Turkish Empire, shewing its acquisitions and losses in Europe, Asia, and Africa during the six centuries of its existence, and its expansion during the first half of that period, is almost matched by the rapidity and extent of its decline in the second. The drastic reforms of Sultan Mahmud prevented the immediate dissolution of the Empire, but they did not arrest its decay ; and the process is still going on. The chronic state of disturbance in Armenia and Crete, which the Porte is powerless to amend or to suppress, is a sure sign that those provinces will speedily follow the fortunes of Bulgaria and Thessaly : and everywhere, with the rule of the Turk, the Turk himself vanishes. The ruined tomb of a Musalman saint at Buda is the sole sign of an Ottoman occupation that lasted one hundred and fifty years. Not a Turk remains in Roumania, in Greece, or in Servia. The Turks who ruled Algiers for three hundred years are all gone. Fallen though the pride of the Osmanli be, he has not yet fallen so low as to brook the rule of a stranger in the lands where, for so long, he lorded it supreme.

The Turks have at last awoken to the danger of their situation, and realised the nearness of their impending fate. " In Asia there are still shady vallies," said the Vazirs of Sultan Mustafa, " where pleasure kissques may be built."

Musalman fatalism inclines its votaries to acquiesce in the inevitable instead of fruitlessly struggling with an adverse fate. The prophecies of the impending conquest of the " seven infidel kingdoms of the Farang," have been replaced by equally well-authenticated, but more plausible predictions of a temporary expulsion of Islam from the European shores, which is to precede its final triumph : and, is to be, (according to the usual style of prophetic interpretation in a failing creed), the beginning of the end, and the precursor of the final judgment.

Reforming Sultans and Vazirs have striven desperately to turn back the tide of adversity and to keep foes and fate at bay, but with success little commensurate with their hopes and exertions. The origin and progress of reform in Musalman countries is exactly converse to that among European peoples ; in the latter reform is demanded by the democracy, and wrung by threats of revolution from reluctant rulers : in the former Shahs and Sultans force reform at the point of the sword down the throats of a recalcitrant nation. The conservative instinct which are the natural concomitants of the Moslem religion



among all races, would alone make the Turks indisposed to any social or political change, and their Turanian descent would also conduce to a similar effect : and their pride, both of race and of religion, was deeply offended by the fact that the measures of reform sought to be thrust upon them, were imitated from Europeans and Christians. The reforming Sultan Mahmud was himself a zealous Islamite, and his aim and object was not to bring Turkey into harmony with the civilization of Europe, but to enable her to defy it, by restoring her old military ascendancy. He imagined that the novel superiority of the Christian arms was the sole cause of the decadence of Turkey, and that if the Ottoman warriors could be drilled and disciplined like Germans and Russians, they might again bear the crescent banner victoriously to Buda and Kaminice. He strove to alter the outward form of the national organization while leaving the spirit untouched ; and he produced a system, which though more in accordance with European civilization and the temper of the times, was yet utterly unsuited to the genius and the traditions of the nation.

Moreover, he found but few willing, and no capable instruments of his policy among the Turks themselves. In similar circumstances, Peter the Great employed Lefort, and other Frenchman and Germans to reform and civilize Russia and its civil and military institutions, a task which he would probably never have accomplished by means of the Russians themselves. But Sultan Mahmud was debarred, by the prejudices of his creed, from employing the only instruments that could have carried out his reforms to an effective result. Turkey had once actually the talents of Von Moltke himself at her service, and disdained to avail herself of the sword of a Christian !

The English are now proving in Egypt how necessary is European supervision to the effectual working of European, that is to say, civilized methods of administration in an Oriental country. Had the Turkish Sultans, instead of only seeking the advice of German experts, placed the working of their military administration, and the leading of their troops in the hands of German officers, the crescent might still be floating over the fortresses on the Danube.

Turkish literature has undergone as complete and striking a change as has the costume and military system of the nation. Hitherto it had been founded entirely on the Persian model ; and was composed, to a great extent, of versions and translations of Persian works. "Instead of history," says Von Moltke, writing in 1832, "the Turks write only inflated bombast ;" and Mr. Stanley Lane-Poole has given us several translated extracts from the Turkish Chronicles written in the

Mussajja or rhyming prose, so familiar to the students of Persian literature; these passages have been so cleverly rendered, that the jingle of the original has been preserved in the English translation. The study of European languages, and the influence of European thought, has produced an entire change in the forms of Turkish literary composition which at present follows a French model. The matter is now considered more than the manner, and lucidity of expression is more admired than intricacy of style. There are already signs of a similar and equally desirable change overtaking the national literature of Persia.

The chapter on Ottoman Literature is a most interesting one, and contains many extracts from the Kasidas and Ghazals of Turkish poets faithfully and rhythmically translated into English verse, which though, of course, falling far short of the standard of the original, as all poetical pieces must when rendered into a foreign tongue, still give the English reader some impression of both the merits and defects of the old style of Turkish poetry. The prevailing motive of the Modern Turkish poets is a pathetic melancholy, probably imitated from the French Romantic School, and reflecting, as our author suggests, the sad story of the waning fortune of a once victorious race.

The doom of Turkey is not difficult to foresee, though it is not so easy to foretell the exact manner of its accomplishment. In spite of the guarantee of the integrity of the Ottoman dominions by the Great Powers at the Treaty of Paris after the Crimean War, we find most of them joining in the first partition of Turkey effected by the Berlin Congress in 1878. And, as in the case of Poland, the first partition will probably and naturally be followed by a second and a third. The Ottoman Empire may continue to exist some centuries later as a petty Asiatic State; or it may be dissolved by the shock of the expulsion of its dynasty from Constantinople: an event that cannot be very long delayed.

The ceaseless southward march of Russia will, without doubt, soon bring the Muscovite to Erzeroum and Trebizond: and England will then appear on the shores of the Persian Gulf and the banks of the Euphrates in the same character which she has assumed at Cyprus and in Egypt.

The only miracle that could avert the approaching political extinction of Turkey and of the other independent Musalman States would be, a reform of Islam on lines that might bring Muhammadan institutions into harmony with the spirit of the age in which we live. Such a reform as we may possibly see happily accomplished in Moslem India by the teachings and efforts of men like Maulavi Chiragh Ali and Sayyid Humain

Balgrámi Imad-ud-Daula, and others who strive to reconcile the creed of Islám with the teachings of nature. But of such a general reform there is but little hope ; and the main current of ideas in the Moslem world runs in the contrary direction : towards a vain ideal of a restoration of the Khalifate, and a return to the political ideas and institutions of the time of the Prophet and his successors. Mr. Stanley Lane-Poole thus closes the last chapter of his story of Turkey :—

"There are some who believe in a great Muhammadan revival, with the Sultan-Khalif at the head : a second epoch of Saracen prowess, and a return to the day when Turks were simple, sober, honest men who fought like lions. There is plenty of such stuff in the people still ; but where are their leaders ? Till Carlyle's great man comes, the hero who can lead a nation back to the paths of valour and righteousness, to dream of the regeneration of Turkey is but a bootless speculation."

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### ART. XIII.—THE FUTURE OF INDIAN AGRICULTURE.

THE visit of Mr. Voelcker to India tends naturally to a consideration of the present attitude of the Government towards Agricultural Science. The subject is admittedly of great importance, but no attempt will be made here to deal with it in a comprehensive manner. However, a few hints may prove worth the consideration of those interested in the welfare of this country.

In the first place it may be laid down as an axiom, that no serious attempt has been ever made to discover and formulate the wants of the Indian cultivator; *i. e.*, no expert has been employed to study the question from a scientific point of view. Mr. Voelcker's tour is a step in the right direction, but unless it be followed by the regular employment of an Agricultural Chemist, whose attainments are at least equal to his, this visit will prove nearly as fruitless of practical results as that of Prof. Wallace, whose crude notions are only valuable in so far as his book "India in 1887" has directed attention to some of the defects in the present system under which the Government is supposed to improve Indian agriculture.

The heads of the various Agricultural Departments may be full of zeal, energy and administrative skill, but unfortunately none of them in India know anything practically of Agricultural Science, for a diploma from an English College, followed by a few hurried experiments in this country, cannot qualify a man, however able he may be, to offer useful advice on this subject.

It is an old story that experiments conducted under the patronage of the Indian Government have heretofore led to no practical results. The machinery that has been imported or invented by our Agricultural Departments has not been accepted by the Indian cultivator: the manures that have been recommended have not been generally adopted: the ensilage that has been made by General Officers has not been sold; and the improved seeds that have been scattered broadcast over Government and Wards' Estates have not hitherto given satisfactory harvests. The result is that an influential party, of which the late Sir Ashley Eden was a leading member, derides all efforts to improve the systems of agriculture that have been in vogue here from time immemorial; and the Government of India,

owing to the technical ignorance of its advisers, cannot reply effectively to the jeers which have greeted its efforts to do useful work in this direction. It has been like the child who daily pulls up the seedling he has planted in order to watch its growth. This infantile curiosity and inordinate desire for immediate results, have been fatal to all honest enquiry that might in time (had time been permitted) have led to knowledge sufficiently exact to benefit the Indian cultivator. Let us take a few instances. The manufacture of a cheap light plough that will turn over the soil is said to be one of India's *desiderata*. Assuming this to be the case,—though the fact that India with its very different conditions of soil and climate does really require a plough with a mould-board, has never yet been satisfactorily proved,—what is the procedure that has been followed by the Agricultural Departments? Either patent ploughs have been imported from Europe or America whose weight and cost are fatal to their general adoption, or else persons, who are incapable of calculating the form of the beautiful curve that will turn over most soil with the least resistance, have been encouraged to invent cheap ploughs which have been freely manufactured long before the mass of the cultivators whom it was intended to benefit have decided that such ploughs are after all *not* superior to those inherited from their ancestors.

Take manures: The Indian cultivator who uses cow-dung for fuel, and scatters the ashes over his fields, has been blamed for his improvidence by hundreds of officials who were absolutely ignorant how far the soil was deficient in the plant constituent dissipated by the Indian process. The amount of nitric acid that descends in rain has been carefully calculated in Europe, but no attempt has ever been made (I believe) to make similar calculations for India with its obviously different meteorological conditions, and therefore, how is it possible for any one to ascertain the requirements of the soil, or to pronounce that any given field would benefit more by the application of cow-dung before or after burning?

The effect of raw bones as a manure varies considerably from that observed in Europe. Here, again, is a fruitful subject for further enquiry, but no scientific attempts in this direction have, so far as I know, yet been made in India.

As regards Stock improvement, the efforts of the Agricultural Departments have, in some cases, been actually prejudicial. As the pressure of the population on the soil increases, pastoral classes and their cattle must, if left to themselves, yield to the agriculturists. As the pasture grounds are replaced by arable fields, the stock deprived of sufficient food becomes degraded, and steadily diminishes until it is insufficient for local

requirements. Cultivators are then compelled to use better stock, having to buy their plough bullocks at fairs and religious gatherings, where these have been brought from localities where good stock can still be bred in abundance. Left to themselves, the poor weedy cattle would die out, and stock-breeding in suitable localities would be encouraged. The supply would meet the demand to the mutual advantage of breeders and cultivators ; but here the Government of India steps in with the noblest intentions, and by insisting on the preservation of fodder reserves, does its best to check the desirable demand for good stock by helping to perpetuate steadily deteriorating breeds of cattle.

Take seed grains: With the exception of Behar indigo planters, who have found it advantageous to import foreign seed, Indian cultivators generally grow crops from local seed. Occasionally an enterprising ryot will take a long and expensive journey in order to procure a better sample from a foreign market. The result of the first year's growth, weather being favourable, shows the superiority of the foreign grain, but every year this superiority decreases as the produce assimilates more and more to the local grain, until the disgusted ryot sees that he must procure a fresh supply, or content himself with the produce of his local market. Now, if Government were to collect samples of good grain in suitable centres, the ryot might get his grain at a moderate cost, but this is just what Government has never done, though the Agricultural Exhibitions that have been held from time to time would have afforded all the requisite information. The plan usually adopted by Agricultural Departments, is to request local authorities to order Managers of Government and Wards' Estates to conduct experiments in foreign grains. For instance ; suppose it be desired to show that good Buxar wheat can be grown with advantage in Orissa ; the Manager of a Government estate there informs his Collector that he requires one maund of seed. This information is passed on through the Commissioner of Orissa, the Director of Land Records, &c., the Commissioner of Patna (?), the Collector of Shahabad, the Sub-Divisional Officers of Buxar, and one or two more subordinates, till it reaches a peon who goes into the bazar and buys the cheapest grain that is sufficiently like good seed to deceive the Sub-Divisional Officer, who will forward it in due course till it reaches the Manager in Orissa. Sometimes the seed miscarries, and occasionally it arrives too late, and in any case as the seed was probably inferior, the result of one year's experiment does not justify (though it may elicit) the opinion that the soil, or climate, or both, of the estate are probably not suited for the cultivation of Buxar wheat.

**Take forecasts:** A recent circular from the Government of India started with the astonishing assumption that the preparation of forecasts for winter paddy could probably be effected as easily as those submitted for wheat; and then went on to ask the Government of Bengal to submit such a forecast by the end of September. The Director of Land Records, &c., accepting without demur this assumption which ignores the notorious effect of rainfall, &c., up to, and even after the given date, requests Commissioners to submit their reports by the 1st September. Collectors are asked to send their figures in by the 15th August, and Sub-Divisional Officers must therefore send in their prophecies soon after the beginning of that month. Now, assuming (and this is no slight assumption) that all Sub-Divisional Officers can form a correct opinion of the existing state of the winter paddy, early in August, how can they guess therefrom the ultimate outturn, and what will be the value of statistics founded on these guesses, which will reach the Government of India by the 30th September, and be published in October or November? Will any grain merchant trust in such a forecast more than in the more recent estimates of local agents?

Enough has been said to show the futility of trying to improve agriculture in India on the present system. The following remedies might, perhaps, remove the reproach under which the Government now suffers:—

*First*—the appointment, on a suitable salary, of a skilled agricultural chemist with administrative skill. He should be allowed sufficient capital and a free-hand for at least twenty years. He must never be required to justify his existence before the expiration of that period. Remember that Sir John Laws and Dr. Gilbert have been hard at work for about double that time, and even yet they are still prosecuting their enquiries; nor can they speak with certainty of the conditions which govern the growth of even the common farm crops and grasses. For instance, German chemists have recently thrown doubts on some conclusions about the power of legumes to assimilate free nitrogen, which, it was thought had been established more than twenty years ago.

*Secondly*—the stoppage of all expenditure on experiments by unqualified theorists, such as those made on ensilage a few years ago.

*Thirdly*—having appointed the qualified agricultural chemist, let there be no unnecessary interference with his work and expenditure within limits fixed by the Secretary of State, in consultation with the Council of the Royal Agricultural Society of England.

The time for half measures is past. No one has a right to

assume that, because heretofore uninspired teachers have attempted in vain to preach a gospel that they did not understand, that Western science, which has done so much for the East in all other departments, has nothing to teach the ignorant Indian ryot. Once show him that a proposed change is advantageous, the cultivator's alleged stupid conservatism will disappear. Just as he adopted Mylne and Thompson's sugar mill as soon as he saw that it was an improvement on his old fashioned wooden structure, so will he adopt machinery, seed, stock, or patent manures, directly it has been proved that the adoption of new methods will be beneficial to his interests ; but till that date our present system is worse than useless ; for by our ignorant experiments, we increase the cultivator's innate distrust of Western science, and retard the date on which the future Director of Agriculture having supplemented his knowledge of Western science by laborious and protracted research in India, will declare himself ready to preach the true gospel, which once accepted, as it must be over the whole continent, will convert one of the poorest into one of the richest countries in the world.

D. B.

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## ART. XIV.—THE EIGHTH INTERNATIONAL ORIENTAL CONGRESS.

HELD AT STOCKHOLM AND CHRISTIANIA.

*September 1889.*

THE idea of International Oriental Congresses was conceived in Paris, and in that city in the year 1873 the first was held : the example was followed by London in 1874, by St. Petersburg in 1876, Florence 1878, Berlin 1881, Leyden in 1883, Vienna in 1886, and Stockholm in 1889. Having taken part in all these meetings, except the first, I have published accounts of them in the pages of this periodical, and now proceed to chronicle the events of the last at Stockholm.

The object has been most laudable, and great success has attended the movement : the object was, that the scholars and students of Oriental languages, literature, and archæology, might periodically meet and take stock of the progress of each branch of science, and that the members of each nation and university, or museum, might no longer work in seclusion from their fellow labourers except by the medium of their learned works, periodicals and cyclopædias ; another object was, that friendships, or at least acquaintances, might be formed and animosities removed.

At the congresses of Paris and London, there was a great severity and simplicity in the proceedings. Flaneurs and outsiders were not permitted to introduce themselves into the roll of membership ; there were no entertainments, or distractions, or dinners ; the scholars met for their business, and then dispersed to their lodgings. The authorities took no notice of the congress, and in the great cities of Paris and London it attracted no more notice than a reunion of doctors or geographers, and made much less stir than the British Association.

At St. Petersburg the new departure commenced, and moderate entertainments were offered ; it was noticed that an element of non-scholars, such as passing travellers, and a considerable female colouring had introduced themselves. The presence of the Emperor of Brazil as a member, gave a flavour of royalty. In the succeeding congress at Florence the female element was excluded, but the number of flaneurs was greatly increased. Entertainments and excursions multiplied. At St. Petersburg all the members had been feasted in the absence of the Emperor in the palaces of Peterhof and Tsarki Selo. At Florence the delegates were entertained in the Pitti

Palace in the name of the King by his brother the Duke of Aosta. In the next two congresses at Berlin and Leyden there was a return to Spartan severity ; hospitality was indeed offered, but not of a character to impede business ; in both countries royalty turned away its face from the congress much to the advantage of real work.

In the next congress at Vienna the festivities and entertainments and excursions multiplied ; the congress was placed under the protection of a benevolent Archduke, whose kindness and courtesy were above all praise, but there was a manifest downgrade tendency as regards despatch of business. In the eighth congress last September at Stockholm and Christiania, owing to the condescending kindness and genial hospitality of the Sovereign and people of Sweden and Norway, business disappeared, and from the first day of assembly to the last of parting, there was a succession of dinners, operas, excursions, entertainments and illuminations ; long after midnight the delighted congressionists would get them to their beds. Nothing but a frame of cast-iron could stand the strain. Nothing but the appetite of a German student, ready to lay up provision for the winter, could dispose of the splendid repasts. A positive irruption took place of flaneurs, tourists and casuals ; there were some most prejudicial changes of method, for, instead of quiet work of scholars in the sections, several days were devoted to collective meetings of all the sections to hear set speeches in the different languages of Europe and Asia, under the presidency of His Majesty in person ; there was only a dummy President and an all-powerful General Secretary. Several *bonâ fide* Orientals, in the dress of their country, were presented to be stared at like some choice phenomena of Barnum's all-world show, and indeed the good people of Scandinavia seemed to think that it was a collection of *Orientals not of Orientalists* : the streets were crowded to see the members pass by ; whole villages turned out to see the train which conveyed the collective congress from Stockholm to Christiania, and there was a feeling of wonder and disappointment that there were no elephants, camels, tigers, tents, and other paraphernalia of Oriental gatherings ;—the contemporaneous arrival of a travelling menagerie would have been most desirable. Good work was indeed transacted somehow or other, but, when the excitement and delight of the shows, and the good eating had passed away, there was a feeling of disappointment with the result of the congress in thoughtful minds. No sufficient arrangement was made for the place or time of future congresses, and it is obvious that the responsibility imposed upon any country to receive future congresses is greatly enhanced, for whence are the funds to

come in such cities as London, Paris or Berlin, to meet such expenditure ; while, on the other hand, the absence of entertainments will give rise to most invidious comparisons of the present with the past.

In the narrative of this congress, I shall notice (i) the *locale* and *personelle*, (ii) the festivities briefly, (iii) the business transacted in as full a detail as the imperfect daily bulletins permit me, (iv) lastly, the sinister outlook for the future, for we have come to the parting of the ways. We must return to the old ways of the congress, or this will indeed prove to be the last.

The following countries were represented : Austria, Baden, Baróda (India), Bavaria, Bosnia, Brazil, Denmark, Egypt, France, Great Britain, British India, Italy, Japan, Netherlands, Persia, Portugal, Roumania, Russia, Saxony, Saxe Coburg Gotha, Siam, Turkey. The following universities sent delegates : In Germany, Halle, Griefswald, Giessen, Berlin, Munich. In Austria, Vienna and Prague. In Denmark, Copenhagen. In Sweden, Upsála and Lund. In the United States, Baltimore and Providence. In Russia, Helsingfors, St. Peterburgh and Kazan. In Great Britain, Oxford, Cambridge and Edinburgh : in British India, Bombay. Possibly other universities were indirectly represented by distinguished members of their body. The following learned societies were represented : in Germany, the German Oriental Society, and the Scientific Society of Munich. In Austria, the Vienna Oriental Museum, and the Buda-Pest Hungarian Society. In Belgium the Archæological Society. In Russia the Finno-Ugrian Society, and the Imperial Archæological Society. In France, the Asiatic and Anthropological Societies, and the Academy of Hippo at Bone in Algeria. In Great Britain, the Royal Asiatic and Geographical Societies, the Biblical Archæology, the Palestine Exploration Fund. In British India, the Asiatic Society of Bengal. In Italy the Academy "dei Lincei," the Vatican Library, the Scientific Society of Turin. In the Netherlands the Oriental Society.

The presents of books to the congress, and afterwards to the royal libraries of Sweden and Norway were magnificent. Conspicuous were those sent by the Vatican Library : the British and Foreign Bible Society sent translations of portions of the Bible in one hundred languages, selected from a much larger number, as specimens of the languages in the five portions of the world. Such a present could have been made by no other Society in the world, and in no century preceding the present one. The India Office presented a magnificent collection of their works : authors, publishers, and societies helped to cover tables with individual works ; or series of publications—in fact, no previous congress had received such splendid presents. It represented a grand harvest of intellectual activity.

The excessive number of members was to be deplored, as it turned the congress into a bear-garden. In 1881, at the Berlin Congress, there were 290 members; at Leyden in 1883, there were 454; in 1886 at Vienna there 424; at the present congress in 1889 there were 713, of whom 198 were Swedes or Norwegians, and 515 strangers, among whom there were some Orientals, rather than Orientalists, as Egypt sent seven, Algeria two, Japan three, British India four, Persia four, Turkey twenty-eight. Many of those who came from countries in Europe, might, with advantage to the congress, have staid at home; at the same time the absence of many familiar faces at former congresses was deplored. Death had been busy during the last three years, and many more illustrious scholars were kept at home by age, or want of strength for the exertion, or domestic affliction, and they were wise; for a man must be strong as well as learned to go through such an ordeal as the last congress: it is a subject of congratulation that no deaths did occur during the sittings. It is not, indeed, desirable, that ladies should, by a hard and fast rule, be excluded. Some came on their own merits and others as companions to their husbands and fathers, who would not come without them. Nor should students of oriental subjects be excluded, or scholarly men, because they have published no books and occupy no professional position—for an intelligent and sympathising audience is greatly to be appreciated. But it is beyond reason that the congress should be choked, like the Flavian amphitheatre at Rome by men and women, a rude and ignorant mob, seeking only "panem et circenses."

The communications entered on the list were numerous, various and interesting. A perusal of the pamphlet which recorded them is a fair exemplar and measure of the enormous field over which Oriental research now extends. Some members wrote of what had happened in a dim and remote past; others dealt with phenomena actually exhibited at the present time; some communications dealt with grammatical minutiae. Five or six members were heard in the sections disputing about the true value of a syllable, or even a letter, and their views were wholly irreconcilable; in other sections grand principles were discussed, affecting the interests of vast populations, or of the whole human race. Sometimes the past history of a people, ignored by Romans and Greeks, was disinterred and revealed to the astonishment of the nineteenth century: if there had been more time, and an exclusion of frivolous amusements and foolish display, the serious results of this congress, as evidenced by the bill of fare, would have equalled that of any of its predecessors; as it is, by their own intrinsic value, they deserve high praise.

The city of Stockholm was worthy of the greatest of assemblies, and His Majesty King Oscar II, as a scholar and a patron of scholars, was worthy of the place which he occupied, and of the city in which he resided. The hotels were excellent, the Committee of management had made admirable arrangements, and the weather was magnificent. In the material scheme there was not a single contretemps: if a scientific congress ought to be conducted in the manner adopted by the Committee, the tribute of entire success is due to those who carried out the programme.

The expenditure must have been enormous, some portions of which were defrayed by the King, the municipalities, and private individuals; but it is an open secret that the Managing Secretary, Count Landberg, was by far the greatest contributor. The congress lasted ten days, from Sunday Sept. 1, on which an informal meeting took place in the Grand Hotel, until Wednesday Sept. 11, when it finally broke up at Gothenburgh, and during that period on every day there were receptions, dinners, luncheons, breakfasts and suppers, visits to celebrated spots like Gambla, Upsála, or to see waterfalls and castles, exhibitions of natation and electricity, operas and steamer-trips. The kindness and hospitality of the people of Sweden and Norway was extraordinary; to those who recollected the different kind of reception afforded to previous congresses at London and Berlin, the contrast seemed overwhelming. His Majesty received the whole multitude in his royal Castle of Drottningholm on Lake Malar. He conversed without reserve with any one who wished to have the honour of being presented to him. The illuminations on the shores of the lake were most striking, extending over a space of many miles. Had it been a congress of European Sovereigns, or the élite of Europe in arts, arms, and station, more could not have been done than was done for the very mixed multitude which had paid their twenty francs for membership for the sake of the entertainments. The trip to Upsála deserves special mention. At Upsála the students of the university received the whole congress with unbounded hospitality; the great gothic translation of the Bible by Ulfilas was exhibited. At old, or Gamla Upsála, the hill of Odin was occupied, mead was drunk from horns, and King Oscar presented a magnificent horn as a kind of heirloom to be handed on from congress to congress.

Another feature should be noticed; for weeks previous, all the newspapers had announced that a certain German Professor, resident at Oxford, was specially invited to the congress as the guest of King Oscar; upon arrived at Stockholm, it transpired that there were no less than twelve royal guests, not necessarily scholars, as one was the wife of the Oxford Professor.

A still more remarkable instance of royal bounty and appreciation of merit, took place on the last day of the congress at Stockholm, for a shower of stars fell on certain members, the German Professor above alluded to, the General Secretary, a sinologue from Paris, a printer at Leipzig, a publisher at Leyden, another publisher at London, and the worthy librarian of the India Office, London. Two grand crosses of the order of the Northern Star, five Commanderships of the same order, one Commandership of St. Olaf, and eight knighthoods of the Northern Star St. Olaf, and Gustav Vasa, were thus disposed of. The well-known passion of foreigners to grand crosses and breloques at their button hole was thus gratified. Handsome gold medals were also conferred on some of the genuine orientals. Medals were also conferred in reward for works of merit, on Professor Noldeke, one of the greatest scholars of Europe, who was absent ; on Professor De Goeje, the celebrated scholar of Leyden, from the Khedive of Egypt ; and on Professor Goldziher of Buda-Pest, by King Oscar ; and a special gold medal and the Order of Vasa was bestowed on Mohamud Chakri-eb-Alusi of Baghdad for a learned work on a Semitic subject. Mention is made of these events to show how heavily weighted will be the managers of any future congress, with no decorations and medals to bestow, and no festive resources at any great city or university-town at their disposal.

I now proceed to the business of the Congress :—

The languages permitted to be used were French, English, German, Italian and Latin, Turkish, Arabic, Persian, Sanskrit, Chinese, and Japanese &c. Some of the poetical recitations were, we regret to say, discordant and ridiculous, calculated to give a false notion of the intelligence of Orientals, such as the natives of India.

The business was divided into five sections—

- I. Modern Semitic.
- II. Ancient Semitic, including Cuneiform.
- III. Aryan.
- IV. Central Asia and Extreme Orient.
- V. Malaysia and Polynesia.

The members of the congress, at least those of them who knew anything of the object of the assembly, grouped themselves at pleasure in one or more of these sections, and proceeded to elect their sectional Presidents, Vice-Presidents, and Secretaries, and this operation, which sometimes gives trouble, was accomplished satisfactorily. By a bold stroke of genius, the Aryan section elected a triad of three to discharge the office of President, and thus staved off a divergence of opinion as to the merits of three scholars of very different calibre.

The congress was opened on Monday September 2nd, in the

Riddar-Huset, or Hall of Knights, by the King in person, accompanied by the Crown Prince. All the representatives of foreign powers and their ladies were present; in fact, it was a grand State-ceremony. This was one of the flaws of the arrangement. By special request, members appeared in their academical costumes, and Military and civil uniforms were conspicuous. Delegates of Governments were presented to His Majesty, who read an address in the French language: it was choice and pretty, full of poetry, but had not much bearing on the congress.

"Ce ne sont pas seulement les quarantè siècles, qui vous contemplent: c'est plutôt vous, qui du haut des monuments de la Science contemplez les siècles."

"Pretcz l'oreille aux murmures mystiques de nos immenses forêts, aux douces harmonies des vagues qui coupent nos rivages: contemplez la vieige beauté de nos vallées, la majestè de nos Alpes, les sombres prepondenses de vos fjords."

He was followed by M. d' Ehrenheim, who in the few words which he uttered, informed us that he had no pretence whatever to any knowledge of oriental sciences. He seemed only faintly to realise the composition of the congress, for he described the members as "*habituees, que vous etes, aux splendeurs Orientales, a celle de passé comme a celle de present.*"

Those who had simply paid their twenty francs for the sake of the entertainments, must have been stung by this unintentional satire.

The General Secretary, Count Landberg, followed with an oration in French, placing the very *raison d'être* of a congress on the wrong basis. According to him, this private assembly of learned men, meeting for their own pleasure, and travelling for the most part at their own expense quite prepared to pay their own hotel bills, are transformed into humble seekers of the hospitality of the King of Norway and Sweden, in no way at any period of their existence connected with Asia. I quote the following:—

"C'est votre Majesté, qui avec une magnificence de Khalife m'a mis a même de réaliser mon plus cher desir, qui etait de presenter mes confreres d'Europe et d'Orient au Souverain de ma patrie!"

Baron von Kremer, the President of the Vienna Congress, whose death we have since to deplore, followed with a brief speech of thanks to the King in German.

It is pleasant to think that there was no courtly flattery in the English language from the beginning to the end of the congress; but by no members of the congress were the condescending kindness and remarkable attainments of the King more highly valued than by the British representatives.

In all previous congresses, where the President was one of ourselves, every delegate of a foreign country was offered the opportunity of speaking, and if he had books to offer, to make remarks on the same. On this occasion the opening meeting was a kind of Court-reception, and delegates not recommended to the favour of the General Secretary, were pushed off into the back row of seats : I quote the order :—

“ Ne pourrrent prendre la parole que ceux qui y aurent été admis la vielle par le Secretaire General.”

Six days were to be spent at Stockholm : the forenoon of the of the first (Monday) had been spent in the opening, which was reasonable ; some of the sections commenced business in the afternoon. Tuesday, Wednesday and Thursday were thus occupied. The rooms were commodious and several sections sat at the same time, and good earnest work was done, but the séance was often cut prematurely short by the allurements of banquets, excursions, &c. Friday and Saturday were entirely thrown away. Of course, either the forenoon or afternoon of Saturday was properly devoted to the closing meeting, but it was a stupid and provoking innovation to take two whole days for recitations in unknown languages, or essays read by speakers, without the opportunity for discussion, which is the very life of a congress or conference. I propose to pass under the review, necessarily brief, the solid work of the first few days at Stockholm without keeping to section or particular day. At Christiania, the congress had become a sight-seeing mob, a kind of “Demos” relaxed by continuous good feeding and junketing, and little or no work was done : however, whatever was done is recorded in a feeling of gratitude and respect to the long suffering scholars, who in their distant homes had worked up papers to be read and discussed by sympathetic friends, and found themselves elbowed out by the excitement of a café chantant, or a peripatetic hippodrome.

I proceed to notice papers which are real contributions to knowledge :—

*On the Nabataean Inscriptions in the Sinaitic Peninsula.*

By Prof. J. EUTING.

Whereas the number of Nabataean inscriptions copied by previous travellers scarcely comes up to 300, Prof. Euting succeeded last spring in adding 700 to the collection. He achieved this success simply because he travelled as an Arab, and climbed barefooted along the rocks in places overlooked by other collectors. Also of many inscriptions previously known, he brought home better copies and squeezes, yielding the novel and important result, that some of the inscriptions were found to be dated. Thus, one showing the year 126, “being the year of the three emperors,” agrees according to the *era* of Bosra, which commences in the year 111 A.D., with 237 of our *era*. The other



bears the date 85 (=A.D. 196). As compared with Glaser's S. Arabian inscriptions,\* these Nabataean inscriptions are not important on account of their age any more than by their contents, for they mostly convey only greetings and names. But they furnish valuable material for tracing the history of the origin of Arabic writing.

*Kappadokian Cuneiform Tablets.*

By the Rev. A. H. SAYCE, M. A.

In 1881 Mr. Pinches drew attention to two Cuneiform tablets, said to come from Kappadokia, one of which was in the British Museum, the other in the Louvre. They were written in a peculiar form of Cuneiform script, and did not seem to be in the Assyrian language; Mr. Pinches concluded therefore that they represented the ancient language of Kappadokia. The following year Prof. Ramsay was starting on a tour of exploration in eastern Asia Minor, and I asked him to inquire for Cuneiform tablets. His inquiries proved fruitless, however; but just before he left Kaisariyeh he noticed some tablets in a shop which he bought for a small sum of money. On his return to England, he handed them over to me. I found that they were similar to the two tablets published by Mr. Pinches, and published transliterations of them in the "Proceedings of the Society of Biblical Archaeology," November 1883. The tablets are now in the British Museum.

Since then I have myself purchased some Kappadokian texts, others have been obtained by Dr. Peters for the University of Pennsylvania, while more than twenty are in the collection of M. Golénisheff at St. Petersburg. The latter are mostly in a very perfect condition, and as some of them are written in the more ordinary type of Cuneiform, a comparison of the latter with what may be termed the Kappadokian script, has enabled M. Golénisheff and myself to identify the Kappadokian characters to which a false value or no value at all had previously been assigned. As soon as the true values of the characters were ascertained, I found that the language of the tablets was an Assyrian dialect, which presented several phonetic peculiarities, and contained words which are probably of foreign origin. The phonetic peculiarities agreed with those of certain of the Tel-el-Amarna texts from Northern Syria, as, for instance, the substitution of *gimel* for *kaph*. Moreover, the forms of the characters resemble those of the Syrian tablets from Tel-el-Amarna, and since the Kappadokian tablets contain phrases which are common in the Tel-el-Amarna texts, but are unknown in Assyrian of later date, we may conclude that the library from which they are derived was founded in the same age as that of the Tel-el-Amarna collection. It was probably situated in the country called "Khanu the greater," by the Assyrians, mention of which is made in a letter of Assur-yuballidh of Assyria to the Egyptian king.

A large proportion of the proper names occurring in the Kappadokian texts are compounded with the name of Assur, and so

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\* Professor Euting's communication was preceded by one from Dr. Ed. Glaser on the results of his journey in S. Arabia. He stated that whereas previously only two or three hundred inscriptions from those parts had been known, he had brought home copies of 900, some of which are of the highest historical value, and probably go back 2,500 years.

imply that the library belonged to an Assyrian colony. Some of the foreign names found in them are said to be those of *gari* or "strangers." The title of *limnu* is also met with. All the tablets I have examined relate to commercial transactions, principally to the lending of money. One of them is a quittance for the receipt of a large amount of lead.

*On two Recent Publications on Semitic Epigraphy.*

By Professor D. H. MULLER.

Professor D. H. Muller placed on the table of the Semitic Section his two recent publications, *viz.*, 1, a Glossary to the Corpus Inscriptionum Semiticarum, and 2, Epigraphic Monuments from Arabia, from Euting's copies and squeezes, and gave a brief account of each.

No. 1 is a criticism of part iv, fasc. 1 of the Corpus Inscriptionum Semiticarum, recently edited by MM. J. and H. Derenbourg, and containing 69 Sabæan and Himyaritic inscriptions. The author, while giving due praise to the Institut de France (Académie des Inscriptions et Belles Lettres) for the great services it has rendered to Semitic epigraphy and Semitic studies generally,† sees himself compelled to pass a severe criticism on this part of the Corpus. Although of the 69 inscriptions here brought together, there are only 18 not yet previously published, the reviewer charges the editors with a large number of wrong readings and interpretations, and with a want of that epigraphical tact and philological criticism which are the main bases of every successful decipherment. He concludes with these words: "The Corpus Inscriptionum Semiticarum will for a long time continue to be the work by which Semitic studies will be gauged and directed. Such an important publication has therefore to be judged by a different standard to that which would apply to an individual attempt at decipherment. In such a work reliability and solid methodical criticism, together with a complete command of all the known material and the literature, are indispensable postulates."

No. 2 contains 150 newly published inscriptions from el-Ōra (N. Arabia) which were collected by Prof. Euting of Strassburg, and committed to the editor for publication. One half of them were found to be attributable to a Minæan colony who had their commercial factories in this neighbourhood throughout at least 200 years. The remaining 75 inscriptions are written in a character and in a North Arabian dialect which had already produced a literary language about ten or twelve centuries before Muhammad. In the grammatical sketch which the author gives of this dialect, he defines exactly its position within the range of the Semitic languages. Palæographically the writing proves to be a transition alphabet between the Phœnician and the Sabæan. The inscriptions derive from Thamūd, who is mentioned in the cuneiform writings and the Korān. The graphic representations laid before the Section specially interested the members. The author gives the name of Lihyānī to this new language and writing, and shows that already on a Babylonian cylinder (of the year 1000 a. C.) in the British Museum this character is found engraved.

Prof. J. Oppert drew attention to the importance of these inscriptions with some laudatory remarks, and Prof. Haupt suggested that henceforth new texts communicated to the Congress should be written on a black board.

Prof. Muller spoke as follows:—"The 25th January 1867,—the day on which F. Renan, together with de Saulcy, Longperier, and Waddington, placed before the 'Académie des Inscriptions et Belles Lettres' the proposition that they should undertake the publication of a *Corpus Inscriptionum Semiticarum*,—will ever remain memorable in the history of Semitic epigraphy and philology. The *Institut de France* has not only given a new and powerful impulse for the sifting and investigation of the existing epigraphical material, but has constantly directed its attention towards the exploration of new fields of research, and the collection of numerous inscriptions. In reviewing at the present time, after the lapse of 22 years, what has been done in Semitic epigraphy, and how rich, and in part how trustworthy, the materials are, we may justly say that not the least part of the merit is due to the publication of the *Corpus Inscriptionum* undertaken by the Institute."

*On the Origin and the Date of Composition of the Navigatio Sancti Brandani.*

By Professor J. M. DE GOEJE.      "

It has been more than once remarked that there exists a striking resemblance between the well known tale of Sindbad's adventure on the back of the whale-island, and that of the *Navigatio*. Dr. Schröder endeavoured to prove in the introduction to his edition of the *Navigatio*, that the Orient owes this tale to the Occident, but his argument cannot be accepted. On the contrary, all tends to show that the author of the *Navigatio* borrowed this tale from Sindbad. A careful examination of all the passages of the *Navigatio* in which the whale occurs, leads to the conclusion that two different tales have been combined—one, that of the Sindbad adventure, the other that of the whale, wholly subjected to St. Brandan, which transfers on its back the Saint and his monks to the Birds' Paradise. This latter, the old Brandan legend, has been preserved from a now lost *Life of St. Brandan* by Rodolphus Glaber in the *Historia sui temporis*, written in 1047. To this old legend must also be traced the statement that the peregrination lasted seven years. Besides the episode of the whale-island, the author of the *Navigatio* borrowed several other tales from Sindbad, even the description of the Paradise itself. It is probable that, whilst being in the East, he assisted at a recital of the tale of Sindbad, and, misled by the resemblance in sound between the names of Sindbad and St. Brandan (as the English sailors made St. John from Sindan), he took the hero of that tale to be his saint. He could the less doubt of their identity, as the tale had in common with the old Brandan legend, an adventure on the back of a whale, and as the seven voyages of Sindbad seemed to correspond with the seven years of the peregrination of the saint. That the author must have been in the East is clear from his description of the miraculous lighting of the lamps of the altar, which took place every year on the eve before Easter in the Church of the Holy Sepulchre at Jerusalem.

The author of the *Navigatio* borrowed also, but indirectly, from the tale of the adventurers of Lisbon, who, in the tenth century, made a voyage of discovery in the Atlantic. Edrisi, who wrote in 1154, gave some extracts from this tale.

The particulars about the birthplace and the monastery of St

Brandan, given in the beginning of the *Navigatio*, seem to belong to the old legend. From the circumstance that one or two Irish names have been falsely translated, we may conclude that the author was not a born Irishman.

The second part (which could not be read) contains the proofs that the *Navigatio* has been composed in the 11th century, and shows that neither the known passage of the *Martyrologium* of Tallaght, nor Bili's life of St. Machutus (St. Malou) are in opposition with that conclusion. Both furnish us with valuable information about the growth of the Brandan legend. It gives further an ample discussion of the relation existing between the *Navigatio* and the *Imram Maelduin*, and ends by showing that the *Navigatio* had never in Ireland the popularity which it enjoyed on the continent of Western Europe.

*On Ibn Sina's Treatise entitled 'The Bird.'*

By Professor A. F. VAN MEHREN.

'The Bird' is one of the mystic treatises of the celebrated Arabic philosopher Ibn Sina or Avicenna, probably written after his *Hay b. Yaqzan* during his sojourn at the court of Alâ-ed-Daulah at Ispahan. Its style, especially at the commencement, is full of enigmatical expressions, and presents many difficulties; these are lessened, however, by the commentary and Persian translation, the work of a certain Omar b. Sabhan, a copy of which is in the British Museum (Cat. Cod. MSS. Or. II. 450, No. 26).

The following is an account of this allegorical composition, which resembles in many points one of the didactic poems of Aurelius Prudentius, a Christian poet of the fourth century (*cf.* Aur. Prudentii Clementis carmina, ed. Dressel, Lips. 1860, p. 162).

After a preface addressed to his friends, in which he speaks of the qualities of real friendship, he proceeds: A party of hunters go out to catch birds. After laying their nets, they caught a good number, and among them was the author of this story. Shut up in their cages, they at first were suffering from their captivity; but they gradually became accustomed to it, till a small number of them succeeded in escaping, while the rest, still in captivity, seeing them rise in the air, asked them to show them the means of obtaining their freedom and to aid their escape. These, after some hesitation, offered to assist their unfortunate companions, and showed them the way to escape safely from their captivity. When they had in their flight arrived in sight of eight high mountains, they made great efforts to pass over their summits, and after crossing the last they gained access to the palace of the Great King. Admitted to his presence, they began to describe to him their wretched condition as caused by the ends of the chains still attached to their feet. Then he promised to furnish them with a messenger who should convey to their oppressors the order to detach those chains. That messenger of deliverance is the angel of Death.

*On the oldest form of the Upanishads.*

By Professor H. OLDENBERG.

There is no doubt that *upa-ni-shad* literally means the (reverential) sitting down by somebody or something. But the correct interpretation, that by this term, the sitting down of the pupil by the master is intended, who proposes to hand down to him the mysterious doctrine of the Upanishad, appears to be untenable,

for the reason that the Upanishad texts constantly and customarily speak of a "reverential sitting down" in a very different connection, that is to say, of that reverential sitting down in which the pious and wise concentrate their thoughts upon the highest objects of all pondering, *viz.*, the Atman or Brahman. Although in all cases in which a verb is required in speaking of a sitting down in that sense, *upa ās* is used rather than a compound of the root *sad*, usage at once reverts from *upa ās* to *upa-ni shad* as soon as a substantive is required to convey that meaning. The oldest Upanishads (also called *ādes'a*, *nāmadhēya*) consisted in brief instructions as to in what form, or under what definite name the pious had to conceive of the Brahman. Round this nucleus those further prose and metrical elements, which followed the diction used in the Brāhmaṇa texts, gathered themselves, that we find combined in such texts as the Brhad Aranyaka or in the Chāndogya Upanishad.

*On the Origin and Import of the oldest Sāmans.*

By Professor A. HILLEBRANDT.

Professor Hillebrandt states that the two oldest melodies used in the Hindu ritual, Bihad and Rathantara, were connected with the solstice festivals, and that originally the former belonged to the summer solstice, and the latter to the winter solstice. This fact explains the strange comparisons drawn in reference to them; Brhadrathantara, *e. g.* are the two breasts of the year, or Rathantara is what is short, Bihad what is long, inasmuch as Rathantara was originally sung on the shortest, Bihad on the longest day of the year. Thus some curious customs, hitherto left unnoticed, gain greater significance. It is said, *e. g.* in one of the ritual manuals that Prajāpati created the thunder after the Bihad. Actually, at the Mahaviatya festival on the day of the summer solstice, drums are used, and with the beating of drums the thunder is imitated. The rite connected with the Rathantara is still more remarkable. Prajāpati, it is said, created Rathantara, and in its wake the sound of the chariot is created. In correspondence with this, the Rathantara is to be introduced on a certain day by the noise of chariots. The author recognizes in this an old Aryan rite of the winter-solstice festivals, and compares with it the custom prevalent (according to Grimm) in some parts of Schleswig of rolling a wheel through the village at the Christmas season. He further endeavours to show that Sāmans had their original cult in popular practice, and thence became elements of Brahmanic sacrifice. This would explain the reason why, in several law-codes, the chanting of the Sāmans is mentioned in a sneering manner. The melodies were originally based on worldly texts, which were perhaps something like the ditties and saws customary with us at the summer-solstice festivals. When those tunes were received into the Brahmanic cult, religious texts were chosen for them to replace the lay ones, and texts from the Rksamhita were selected for the purpose.

*Archæological Researches in India.*

By DR. J. BURGESS, C.I.E.

The absence of any historical literature in India renders the scientific survey and delineation of its monuments indispensable to the proper study of the national history, as well as of the development of its art and architecture, which bear the clearest records of the growth of religions, of manners and customs, of

the taste, civilization, and prosperity of its peoples. The collection of sufficient and accurate data for such a study, and the careful preservation of the monuments themselves, are surely manifest duties of an enlightened Government.

Archæology, as a department of scientific research, based on a groundwork of precise knowledge, with fixed principles, and excluding everything of a merely speculative nature, is a science of recent growth, concerned with the logical deduction of the history of man and his arts from the monuments and other works he has left. This strictly scientific method the author would have applied to the Indian surveys. Like all other branches of research, however, its methods have grown from materials collected by pioneers who had not the opportunity of applying or developing these methods, and the paper was largely concerned with the history of these workers,—the rise of the Asiatic Societies of Bengal, Madras, and Great Britain, the services of Jones, the Daniells, Dr. Francis Buchanan Hamilton, Col. Colin Mackenzie, Colebrooke, Sir W. Elliot, J. Prinsep, Kittoe, Lassen, H. H. Wilson, and others. The great exponent of scientific Archæology, as applied to Indian monuments, however was the late James Feigussun,\* D.C.L., F.R.S. whose journeys, between 1834 and 1839, were undertaken with the one object in view, of ascertaining the age and objects of the rock cut monuments of India and those of later date. "Nowhere," he remarked, "are the styles of architecture so various as in India, and nowhere are the changes so rapid, or follow laws of so fixed a nature," and a chronological arrangement thus becomes palpable to the trained student. Feigussun's principles reduce the multifarious details to order, and the details confirm the principles; and it is to him the students of Indian antiquities owe the means of checking traditions by easy reference to the substantial records to which, in his works and in others owing much to his influence, access is now possible. His works in this department were noticed, and the impulse given to research by the translations of Fabian and Huen Tsiang, and then the author passed on to the origin, history, and work of the recent surveys in Northern and in Western and Southern India, and the publication of the results so far as they have yet been issued; the materials on hand, however, are very considerable and most important. A volume by Dr. Fuhrer, edited by Dr. Burgess, has just appeared at Calcutta, but he stated that about four volumes from each of the surveys might be produced as rapidly as he could carry them through the press, if only Government would sanction the very moderate outlay required: this it is hoped will be done.

The author glanced at the work done in Epigraphy and the advances made since he stated the *Indiæ Antiquary*, through its agency, the work of Mr. Fleet, and his latest attempt to continue the *Corpus Inscriptionum Indicarum* by the periodical publication of the *Epigraphia Indica* (a copy of which was presented at the Congress), and which has been so favourably hailed by Continental scholars.

In 1885 Dr. Burgess succeeded General Sir A. Cunningham, Director-General of the Archæological Surveys in Northern India, and set himself the task of the accurate and complete delineation of the monuments; more careful and scientific methods of excavation; and the most perfect possible reproductions of inscriptions, to be deciphered and edited by the best qualified scholars. Some of the assistants nominated before he took charge were

inefficient, and the want of funds have disappointed otherwise well-founded expectations. Dr. Burgess retires and the three surveys in Upper India can be reduced to one, or rather the five circles for all India can be reduced to three, under properly-qualified surveyors, with one or two specialists for epigraphy—each with a small staff of native assistants—those in epigraphy being trained to scientific work in that branch.

Native princes may also come to give valuable help in this survey, and the wise and munificent patronage of the Maharajas of Baroda and Jaypur was specially noticed.

*Asoka's Thirteenth and Fourteenth Edicts in the Mansehra Version.*

By Professor Dr. G. BÜHLER.

Shortly after my arrival at Stockholm on the occasion of the late International Oriental Congress, Dr. J. Burgess handed to me a paper-impression of a large inscription in North Indian characters which he had received a few days before from Mr. Rodgers, the Archaeological Surveyor of the Panjab. After a cursory inspection I was able to announce to him that it contained Asoka's thirteenth rock edict and possibly the fourteenth. My communication in no way surprised him, and he informed me that the impression was the result of a search instituted by his orders for the missing portions of the Mansehra version. With his permission I made the discovery known at the second meeting of the Aryan Section of the Congress (see Bulletin No. 8), and gave there readings of some of the most important passages of the thirteenth edict. As every addition to our knowledge of the Asoka inscriptions possesses a considerable interest, I now reproduce the remarks made at the meeting, and add some others on points which have come out during a more leisurely examination of the document.

The impression measures 4 ft. 6 in. in height. Its breadth is in the upper part, down to line 8, about 8 ft. 7 in., and in the lower 6 ft. 2 in. It contains thirteen lines, slanting upwards from the right to the left. All of them are more or less mutilated at the end. In the upper ones about sixty letters or even more are missing, in the lower ones about forty. The first eleven lines and a half contain portions of the thirteenth edict, the latter part of the twelfth line and the thirteenth, fragments of the fourteenth. The first legible words of line 1 are *piśha adihuna tadhesu Kalimeshu*, which correspond with the beginning of line 2 of the Shāhbāzgarhī version. It is thus evident that the inscription is mutilated also at the top, and that its real first line is missing. In the preserved portions there are a good many illegible or disfigured letters, and the appearance of the impression shows that the stone has not been polished, but is full of natural fissures and flaws.

This state of things no doubt diminishes the value of the document. Nevertheless, it is by no means useless. It confirms a number of readings found hitherto only in single versions, and furnishes, in some passages, interesting *variae lectiones*.

But from Dr. Burgess's statement regarding the circumstances under which it was discovered and the impression was taken, I conclude that the find may eventually prove to be still more important, and that we may hope to obtain complete copies of the two edicts. The account which Dr. Burgess has given me is as follows:—

At a late visit to Mansehra, during which he took the impressions of edicts I.—VIII. and IX.—XII. used for my article in vol. xliii. of the *Zeitschrift der deutschen morgenländischen Gesellschaft* (p. 273 ff.), he noticed that the two inscribed rocks are surrounded by a very large number of big, loose boulders, full of natural rents and fissures. It then struck him that the two missing edicts might possibly be incised on one of these. But, owing to the roughness of the stones, the existence of letters might be easily over-looked. As the time of his stay was too limited for a careful examination of each single boulder, he asked the Archaeological Surveyor of the Panjab to undertake the task. Thereupon Mr. Rodgers sent,

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in the beginning of the last rains, a native clerk to Mansehra, with orders to institute a strict search. The latter found, after a great deal of trouble, a third inscribed stone, which had been removed from its original position and had rolled down to a *mulla* or torrent, overhanging its bank. This yielded the impression under notice. As the stone is not in its original position, and as the discoverer is not an archæological expert, it is not at all unlikely that there are more letters on it than the impression contains. It may be that a portion of the inscription is hidden under the stone, or has been overlooked in consequence of the bad condition of the surface. It seems to me also very probable, that an impression, taken in sections during a more favourable season by a competent archæologist, will be much more readable than the present one. Under these circumstances I believe it advisable to wait with an attempt at editing the text, until the stone has been examined once more and a fresh impression has been taken. But I should be ungrateful towards Dr. Burgess and Mr. Rodgers, if I concluded this communication without adding that they have laid all students of Indian history under a great obligation by what they have already done.

### *On the Phonology and the Vocabulary of the Baluci Language.*

By PROFESSOR W. GEIGER.

Lassen already recognized Balūci as an Iranian language. Subsequently F. Muller and Hubschmann gave a general sketch of its phonology. The material, however, available to them was so limited and meagre, that much remains yet to be done. Within the last ten years more abundant materials for the study of Balūci have become accessible, by which we have been enabled to draw a distinction between the dialects within the Balūci language (*Geiger*, Sitzungsberichte der K. Bayer. Akad. d. Wissenschaften, Philol.-histor. Classe, 1889, 5. 68 ff.) and to deal with greater precision with its phonology and its position with regard to the other Iranian dialects.

As regards the phonology, it is an important fact that the *z* of the Avestā language is never represented by *d*, as is the case in old-Persian, Pahlavi and Modern-Persian, but always by *z*. Hubschmann still maintained that there was a twofold representation, *viz.*, by *d* and *z*. It was proved, however, that all the words in which *d* occurs are loan-words from Modern-Persian. Thus *du*, heart, is the Mod. Pers. *دو*, while the genuine Balūci form is *zud*. One might, therefore, assume that Balūci belongs to the group which has hitherto been called the Eastern Iranian. When one considers, however, that the Osset, Kurdish, and the dialects of Kashan (according to Shukowsky) likewise have the *z*, it becomes evident that the separation into an eastern and a western Iranian group, by reason of this phonetic phenomenon, is altogether wrong: *d* is by no means peculiar to all the western dialects, and in fact its area is exceedingly limited.

### *On the Ancient Aryan Languages of Asia Minor.*

By Professor P. KAROLIDIS.

After giving a general sketch of the Asia Minor branch of the Aryan family of languages, the lecturer drew attention to the meagreness of the existing linguistic material and the scantiness of ancient monuments. He then shows that Jablonski, Heeren and Adelung were in error in considering the river Halys as the boundary between the Semitic and Aryan languages, and the Kappadokian as a Syrian or Assyrian tongue. Also later researches (Lassen, de Lagarde, Gosche, and others) have suffered from the meagreness of material and a certain want of comprehensiveness. The author's own investigations are based on the following principles: after reviewing, sifting and comparing all the statements in the ancient writers regarding the descent and affinities of the peoples of Asia Minor, he applies the rules of modern linguistics to the definite results thus gained, and then draws his final conclusions. There are two questions to be considered,—first, what conclusion can with tolerable certainty be drawn from an intercomparison of the old traditions concerning the



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origin of the people and languages of Asia Minor? and secondly, what materials does modern research offer to us by which to test that question? how far can those materials be used for scientific investigations? and what final conclusions can be drawn from a combination of these various points?

### *On Mr. Flinders Petrie's Discoveries in the Fayum.*

By Miss A. EDWARDS.

In the general and final meeting of all the Sections under the Presidency of the King at Stockholm, Dr. Cust was permitted to state verbally the purport of a communication made to the Egyptian Section by the celebrated Egyptologist, Miss Amelia Edwards, who, though a member of the Congress, was unable to attend personally, as she had to embark for New York to deliver a course of lectures on Egyptian Exploration in all the chief cities of the United States during the next few months.

The paper related to the discovery, in the neighbourhood of Fayûm, in Central Egypt, by Mr. Flinders Petrie, of collections of broken pottery with alphabetic inscriptions. The date of this pottery is attributed approximately, on certain independent evidence, to the time of Menepthah, King of Egypt at the time of the Exodus, and Osertisin II. of a much older date. When the alphabetic signs are examined, they are found to be identical in character with the signs of that famous Græco-Phœnician alphabet, which is the mother of all the alphabets of the world, but in less highly developed and therefore more antique forms. Now the oldest previously existing specimens of the Græco-Phœnician alphabet are the Moabite Stone, about 900 B.C., and the scratchings of their names upon the legs of the great statues at Abu Simbul in Upper Egypt by the soldiers of Psammetichus about 600 B.C. It will be at once perceived how important is a discovery that carries back the use of these alphabetic signs to the time of the Exodus, 1490 B.C., and far beyond. We may well hold our breath for the time, and wait till this bold theory is accepted by the competent authorities of Palæography. It has always been a question as to the alphabet, in which the two tables of stone were written by Moses, as there was no independent evidence of the existence of the Græco-Phœnician alphabet at an earlier date than 900 B.C. This evidence has now been supplied.

### *the Geographical Distribution of the different Languages of the Turkish Branch of the Ural-Altaic Family of Languages.*

By Dr. R. CUST.

The lecturer stated that his paper was printed both in the English and German languages, and widely circulated among scholars, in order that some certainty might be attained for the practical purposes of the translation of the Holy Scriptures. He went over in detail the different languages already known, (1) the Osmanli of the Turkish Empire, (2) the Azerbaijani or Trans-Caucasian of the Province of Trans-Caucasia in Russia and Azerbaijan in Persia, (3) the Kazani spoken in the Basin of the Volga, (4) the Chuvash spoken in the European Provinces of Kazan and Nijni Novgorod, and the Asiatic Province of Orenburg by half a million, (5) the Kumuk spoken on the North-west shore of the Caspian Sea, (6) the Trans-Caspian, (7) the Central Asian or Khiva, (8) the Kirghiz, (9) the Yarkandi (10) the Nogai, (11) the Yakut. Until the same exhaustive process was undertaken in Central Asia by Russian scholars, that has been completed in British India and the Indo-Chinese Peninsula by British scholars, no finality could be obtained. Dr. Cust called on the Russian scholars to proceed on the task which they had so well commenced. He mentioned the names of the Academician Radloff, Professor Salemann, Librarian of the Russian Academy, Professor Ilminsky of Kazan, and Professor Ostramoff. He alluded to the meritorious labours of the Rev. Abraham Amikhanians of the British and Foreign Bible Society, stationed at Orenburg.

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Dr. Cust finally insisted on no attempt being made by the State, or by a dominant Religion, to rob a tribe of their ancestral language the change of a people's vernacular must be the result of the involuntary tendencies of dawning civilization.

### *On the Watersheep in Chinese Accounts from W. Asia.*

By Professor A. G. SCHLEGEL.

Professor G. Schlegel, of the Leyden University, read a paper on the *Shui-yang* or Watersheep in Chinese accounts from Western Asia and the *Agnus Scythicus* or vegetable lamb of the European medieval travellers; both having been a great puzzle to Chinese and European botanists and zoologists. Two years ago Mr. Henry Lee wrote a very interesting book in order to prove that by the vegetable lamb nothing else was meant but the cotton plant. Mr. Schlegel, however, showed that although the watersheep of the Chinese accounts presented the greatest analogy with the vegetable lamb, the former still exhibited many features incompatible with the growth of the cotton plant. He therefore suggested that the legend of sheep growing out of the ground like plants, took its origin in miscellaneous notices of the way of training camels in Persia, combined with the way of growing the cotton plant and butchering the living sheep in order to get the wool of the unborn lamb, of which the so called Asiatic wool is prepared.

In Persia the young camels are kept during a long period after their birth in a kneeling position, with the legs tied down under the belly, in order to accustom them afterwards to kneel before being loaded. They are guarded against the wolves and other rapacious animals by a circular or square enclosure or wall, presenting to the looker-on at a distance the aspect of a field in which sheep grow out of the ground.

As is well known, the finest stuffs in Persia are woven from the hair of the camel; and it is these stuffs which were imported at a very early period into China, under the name of *Hai-si-pu*, "cloth of the Western countries," or "cloth of the down of the Watersheep."

### *The Tomb Inscriptions on the Upper Yenisei.*

By Professor O. DONNER.

The first who directed the attention of savants to certain peculiar inscriptions on ancient tombs on the banks of the river Yenisei was the Swedish officer Strahlenberg, who was taken prisoner at Poltava in 1709 and transported to Siberia. There he made himself acquainted with the country and its population, and after his return from captivity elaborated a valuable description of the northern and eastern portions of Europe and Asia, which was published in 1730, and contained *inter alia* the pictures of two tombstones with inscriptions in a language and alphabet altogether unknown. Later on several others of the same kind were published by Pallas and Klaproth and some Russian savants, without, however, a sufficient clue to that interesting script having been discovered. In 1877 the chemist Martinow founded a natural history museum at Minusinsk, and from that date several more tombstones covered with that kind of writing were collected, so that at present the number of them is eight.

On the banks of the Yenisei numerous bronze objects have been found in tombs; they differ in form from those found in other parts, and prove the existence of an Altaic bronze age. In many respects a connection is traceable between these and the bronze objects found in the neighbourhood of Peim, by means of which the Finnic tribes are brought into contact with the Altaic bronze age. The Finnish Archaeological Society at Helsingfors thereupon resolved to send, during the last three summers, expeditions to Siberia under the State Archaeologist, Professor Aspelin, to take trustworthy copies of the inscriptions, those previously published not being sufficiently accurate. In two summers the expedition took 32 copies, and these have now been published for the Congress.

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Even in the last century people were struck with the European appearance of the inscriptions, as well as with the resemblance of some of the letters to the runes, and they gave them this very name. In the opinion of the learned Tychsen (1786) this script had to be connected with the old Greek form four or five hundred years before Christ, when it was still written from right to left. A. Rémusat attributed it to the people called U-sun by the Chinese, Klaproth and Castron to the Kirgiz, while Yadrinev, Klements and Radloff consider the inscriptions to be older than the Hakases, and as consequently belonging to pre-Christian times. Last summer a Chinese coin of the Emperor Vou-issoung (841-6 A.D.) of the Tang Dynasty was found, on the smooth side of which two words in Siberian characters were engraved. Similar coins, but without those characters, have been discovered in great numbers, most of them belonging to the same century, several of the seventh, and one of the year 118 B.C. This proves that the Yenisei alphabet must still have been in use about the middle of the ninth century. The bronze age, however, represented by it reaches far back into the preceding time for many centuries.

The writing presents some eighty different shapes or characters. In its exterior arrangement the script agrees with that in vogue among the non-Semitic tribes in Asia Minor and Greece about four or five centuries before Christ. An examination of the characters leads up to the same result, there being corresponding forms to most of them in the alphabets of Asia Minor derived from the Greek system of writing. It is more especially the Lycian and Karian alphabets which present most analogies. Among the characters which differ from these, we note several which agree with similar ones in the Egyptian syllabary. There occurs also a form, which to all outward appearance has its exact counterpart only in the Aṣoka alphabet. Taking all these circumstances together, we can well understand how this script has come to be compared to the northern runes or the Iberian writing. Among the words, an interpretation of which I believe I have found, is *abagha*, which occurs several times in five inscriptions. But this word happens to occur, not only in Mongol, but also in Yakut, with the meaning of 'uncle,' 'father's brother.' It will, therefore, be necessary for us to await further attempts at decipherments as to language and script. The revision of the inscriptions on the basis of the new impressions taken by the members of the expedition last summer, will no doubt greatly contribute to facilitate this work.

### *On the Language and Customs of the People of Hunza.*

BY DR. LEITNER.

The Hunza language, Dr. Lietner pointed out, is one of a class in which nouns can only be conceived of in connection with a possessive pronoun. There is, e.g., no abstract word for "head," "wife," "house," but there are separate words for "my head," "his wife," "our house," etc. He drew attention to the important results to be derived from a philological analysis of this language, for which ample materials will shortly be available. The Hunzas are Muhammadans only by name; witches and fairies play a prominent part in their social and administrative arrangements. Most Hunzas are Mulais, and their head is Prince Aga Khan of Bombay. They are connected with the Druses of the Lebanon. Their sacred book is the *Kalâm-i-pîr*, of the contents of which the lecturer gave some interesting specimens.

### *On the Linguistic Position of the Languages of Australia.*

BY DR. H. SCHNORR VON CAROLSFIELD.

The languages of the Australian continent have hitherto been either considered as isolated, or they have been classed with certain African, with the Dravidian, and recently also with the Kolarian languages. It is not our present purpose to discuss these various hypotheses, as they do not rest on a firm basis, and are not affected by the following exposition. The plausible assumption of a connexion between the Australian languages and

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those of New Guinea and the Melanesian dialects has hitherto been considered as erroneous on account of the contrast subsisting between both groups as to the formation of words, the former generally using suffixes for that purpose, while the latter use prefixes. That contrast, however, need by no means have been an original one, but may in both groups have been evolved in the course of their historical development. The greater, therefore, is the significance that must be attributed to the numerous coincidences in the vocabulary which can be proved in both groups.

In another of the meetings Dr. Ginsburgh described the features and characteristics of the New "Massoretico-Critical Text of the Hebrew Old Testament," and Dr. Bullinger presented each member of the section with a specimen copy of the first sixteen pages. Nearly two hundred of these were thus distributed. One was specially prepared for presentation to the King, which he graciously accepted. Great interest was manifested by all the members present, and some of the greatest savants took part in most friendly criticism.

A short statement was made by M. Cordier, of a paper on "Central Asia," by M. Nocentini, which will shortly appear in the columns of the *Revista Europa*, or the *Journal of the Italian Asiatic Society*. The paper gives an account of the travels of M. Nissi, who was Japanese Minister in Russia, in Central Asia. M. Nissi left St. Petersburg in 1880, and went *via* Orenburgh, Tashkend, Samarcand, Khokand, Kuldja, and so on, through Siberia, reaching Tokio in 1881. The journey may, perhaps, be compared with that of Tu Li-Shen, a Chinese diplomat, who, in 1712, went from Peking to the Caspian Sea. M. Cordier then read a paper on the "History of the Swedish Company in the East in the Eighteenth Century," from a brochure he has recently published on the subject. The story was a very interesting one, though very unfortunate for the Swedish adventurers who took part in it, as they were considerably despoiled by both the English and the French Companies in India. It showed, likewise, that England has something to thank Sweden for in obtaining a hold on India. M. Boell then gave a short discourse on the Chinese word "Shang-ti," which has been the cause of so much wrangling as to whether it means God as we know the term. He was of opinion that the real word to represent the God of Christian nations was "Tien-ti," an opinion which was shared by Professor Schlegel and M. Cordier. It will be remembered that the Pope, by a bull, accepted Shang-ti from the Roman Catholics as the equivalent of God; amongst Protestant missionaries the term to be used still forms the arena of much controversy. M. Boell read a Paper on the "Transliteration of Chinese Words," which differs somewhat from the system now generally in vogue. Professors Cordier and Schlegel took exception to the speaker's views and were in favour of Sir Thomas Wade's orthography.

Dr. Harlowick of Warsaw, read a paper on "System and Method in Mythological Inquiries for the grouping of facts." Mythology is but a primitive philosophy, and if this fact be admitted, certain consequences will follow, and facts should be arranged in mythology as in philosophy. He considered that this had not been attended to in existing treatises. Dr. Hunfaloy of Buda-Pest read an interesting paper on the Gypsies of Hungary and Transylvania. They arrived in Hungary in the year 1417, and their language retains traces of the country whence they came; they are still partly nomad, and have resisted all attempts of the Government to control them; phrenologically they shew indications of an Egyptian origin, but their language points to India.

M. de Tsagruelli described his visit to the convents of Mt.

at and Mt. Athos, and the manuscripts which he managed to see, dating as far back as the eighth century of the Christian era, on papyrus, parchment and paper. He particularly alluded to MSS. in the Georgian language. He brought home copies of forty inscriptions, and copies of wall paintings. Prof. Van der Lith of Leyden made a communication on the subject of a book lately published by him known as the *Kitab ajaib al Hind*, "the Book of the Marvels of India." It contains accounts of Arab and Persian navigators of about 1,000 A. D. which have an interest to the students of ancient geography. They are full of what are known as "Travellers' Stories."

Professor Halévy of Paris gave an account of the state of Palestine previous to the Hebrew immigration. A few years ago this was a sealed book, but the late discoveries of Egyptian and Assyrian tablets, have let an unexpected light into the circumstances of the unhappy province of Syria, which was situated betwixt these kingdoms. It is more than probable that the Philistines were Egyptians settled on the Mediterranean coast, and deriving their strength from Egypt.

Professor Amslineau of Paris made an important communication on the subject of the transcription of hieroglyphics into Roman characters. He spoke also upon the Inscriptions of Wadi Hamámat, and the Poetical Remains of the Copts. The authors were Christian, but made use of old Egyptian models.

The Rev. Abraham Amirkhanianz gave an interesting account of the characteristics of the Central Asia, or Uzbek form of the great Turki language. His residence at Orenberg under a sentence of exile from the Russian Government, had enabled him to study this language with a view of translating the Holy Scriptures into it. He is an agent of the British and Foreign Bible Society, an Armenian by origin, but a Protestant educated at the Basel College.

The above account does not pretend to be exhaustive: such as it is, it has been gleaned from English, French, and German accounts of the congress in anticipation of the official report, which will appear in due time. Some communications which are not noticed were on purely scholastic subjects, others brief notices of books. It may be gathered that the business laid before the congress was worthy of the Assembly, but unfortunately there was not sufficient room for discussion and exchange of thought, which is of the essence of a good conference of competent critics. The great desire was to let the unfortunate authors have a chance of delivering their message before the hour came for a start to some place of amusement. In fact, some indignant members refused to read their papers, being told curtly by the General Secretary, that he could only spare them ten minutes to develop a subject which required a

much longer time. This is but another instance of the strong unsympathetic whip held over the members from the first to the last hour, and which some independent scholars will not run the risk of incurring again. Some celebrated men, as already notified, were absent from private reasons: it is possible that they may have forwarded communications, which will appear in the official report.

As mentioned above, a day and a half was consumed in unprofitable utterances in different languages, unintelligible to the majority of those who had the misfortune of being present.

His Majesty the King closed the congress (as far as he was concerned, for he did not go to Christiania) with a neat oration in the Latin language. Whatever his Majesty did or said was kindly, well conceived, perhaps rather poetic and dignified: I give the very words:—

“Hoc octavo Congressu orientalium scientiarum et linguarum nunc Holmiæ (Stockholm) claudendo, justum et sequum cen-  
“seo vobis omnibus, illustrissimum hospites, examino gratias  
“optimas agere non meo solum nomine, sed etiam civium meorum  
“omnium, qui hic adsunt, ob dies memorabiles inter omnes hic  
“peractos, quorum tantoc partes ipsi fuistis: necnon omnia quæ  
“bona, fausta, ac felicia sint, vobis in fortunum optare votis  
“meis sinceris, fervidisque. Valete! Dixi!!”

And so the congress at Stockholm ended: the minds of the members of the congress were much divided on some subjects, but on this one point they were united to a man, *viz.*, a feeling of respect and admiration and gratitude to His Majesty. I had the honour on the following Monday, of a private interview with both their Majesties for the purpose of presenting to the Queen a copy of the Holy Scriptures forwarded by the British and Foreign Bible Society, in return for the great kindness and interest always manifested by their Majesties in the distribution of the Bible in the different languages of their kingdom.

The final dinner of the assembled congress, exceeding four hundred, took place in the evening at the Grand Hotel. The General Secretary, Count Landberg paid the entire expense: each guest had a menu, prepared at great cost, in nineteen languages, consisting of poems composed by different scholars in praise of different viands: in Egyptian, Akkadian, Assyrian, Sanscrit, Syriac, Arabic, Chinese, Ethiopian, Malay, Hebrew, Manchce, Javanese, Turkish, Copt, Himyarite, Bihari, Japanese, Jagotai-Turki, German. This was a fair type of the whole congress, costly, showy, unscientific, where everything was done to attract uncritical admiration and wonder, rather than science and research. Owing to the immense number, there was rather a scramble, and later at night, the whole body went

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at in two special trains to Christiania, where there were three additional days of banquetting, and life at Stockholm became enjoyable to those who wisely went no further.

I now come to the last sub-division of my narrative, the sinister outlook for the future. In his opening address Count Landberg uttered words which escaped notice at the time :

" J' aurai l' honneur de vous exposer plus en detail a Christiania le genre de la nouvelle direction, qu'il faudrait *selon moi* donner a nos Congres." In fact he had the conceit to propose to fashion all future congresses after his ideal : on the last day of the congress at Stockholm, his plan was brought forward, bitterly opposed, and the matter deferred till the last day at Christiania. At that place he was again out-voted, and, as no application from any other country had been received, a Committee was appointed, consisting of four surviving Presidents of past congresses, whose duty it was to coopt an additional four to represent the eight countries of France, Great Britain, Russia, Italy, Germany, Leyden, Austria, and Sweden. As there was only a dummy President of the Sweden Congress, the Chief Secretary was elected to represent that congress. Unfortunately Baron von Kremer, the much respected President of the Vienna Congress, died, thus reducing the number from four to three, and no steps up to January 1890 have been taken to coopt the additional members. Deep dissatisfaction was aroused in France and Great Britain : rumours were circulated that Count Landberg wished to have the next congress at Constantinople or Cairo, at which last place he was the Swedish Consul-General. It was reported that an Institute was to be formed, of which King Oscar was to be perpetual patron, and Count Landberg perpetual Secretary, and that their duty would be to decide who was, and *who was not* a scholar, worthy of admission to membership of the congress. The Royal Asiatic Society addressed the Committee of the Swedish Congress, begging that a representative of Great Britain might be added to the Committee above alluded to, with whom would rest the date and place of the next congress.

To hold a congress in a period less than three years would be very undesirable : a term of four or five years would be more suitable. To hold the congress beyond the limits of Christian Europe, or at Washington, or Constantinople, or Cairo, would effectually exclude the army of poor, but earnest students, whose presence is so important. In Europe, Lisbon, Madrid, Geneva, Munich and Leipzig, would be most suitable, if the old, simple and severe methods were returned to. Failing this, there is no choice but to return to the old rota of the eight capitals which have already received the

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congress. To Paris, no German scholar would willingly resort. In London there will be great difficulties. There is no doubt a necessity to exclude outsiders, but when it becomes known to that class, that there is nothing to eat, and no special trains and garden parties, they will not present themselves: at any rate a Committee of selection in each country should be trusted with the duty of issuing the tickets, and some general definition of what constituted a fitness for membership might be formulated for their guidance: students, scholarly men, and men interested in oriental subjects, though not themselves scholars, should not be excluded. Perhaps on the Continent, the professional element is too strong, and the general public insufficiently represented.

ROBERT CUST.

*January 1890.*

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